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**R U L E S**  
of the  
**CIVIL SERVICE COMMISSION**  
of  
**SAN FRANCISCO**  
**CALIFORNIA**

**AS EFFECTIVE MAY 1, 1951**

**UPDATED TO 1971**

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**Francis P. Walsh, President**  
**John M. Kennedy, Vice President**  
**Charles T. McDonough, Commissioner**

**Attest:**

**William L. Henderson,**  
**Personnel Director and Secretary**

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not up to date  
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**RULES OF THE CIVIL SERVICE COMMISSION  
OF SAN FRANCISCO**

**RULE 1. CLASSIFICATION**

**Section 1. CLASSIFIED SERVICE:** The classified service shall include all positions in the City and County service subject to competitive examination and/or Salary Standardization.

**Section 2. POSITIONS EXEMPT FROM CLASSIFIED SERVICE:** The following shall be exempt from classified service; and shall constitute the unclassified service: members of Boards and Commissions; teaching and other technical forces of the school department occupying positions required by law to be filled by persons holding a teaching or other certificate as required by law; employees of the Law Library; construction employees engaged outside of the city and county; and such other offices and employments specifically exempt by law from both competitive examination and salary standardization. (SECTION AMENDED 12-11-53)

**Section 3. CLASS TITLE:** The term "Class Title" means the designation given under these rules to a class and to each position allocated to a class. The Class Titles and Class Numbers assigned to positions by the Commission shall be used in all records, reports, statements and communications, including the compensation schedule, annual budget, and Salary Ordinance, payrolls, and appropriation ordinances. (SECTION AMENDED 12-11-53)

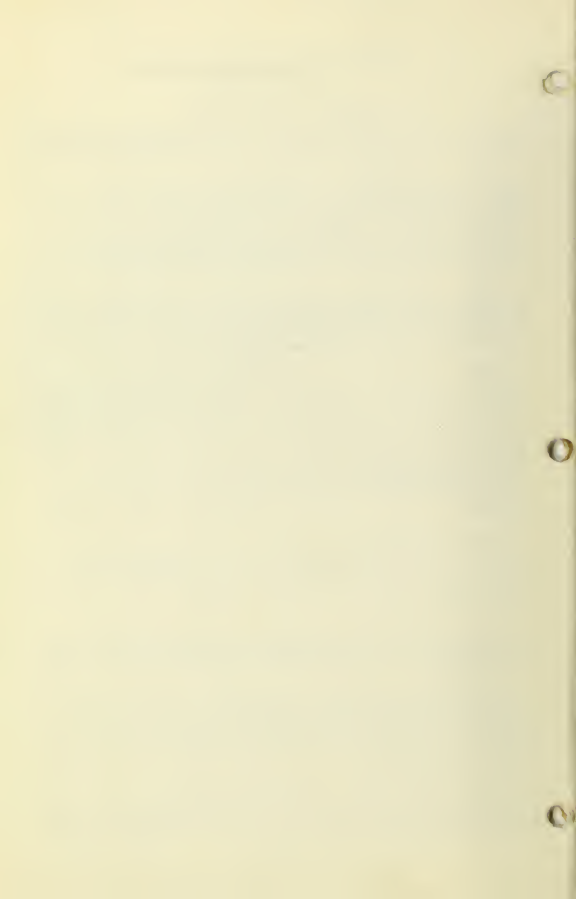
**Section 4. CLASS (OR CLASS OF POSITION):** The term "class" or "class of position" means a position or group of positions for which a common descriptive class title may be used. Such positions, as established by Civil Service law or rules, which are sufficiently similar in duties and responsibilities and require sufficiently similar training and experience for qualification thereto that the same descriptive title may be used to designate each position and that the same schedule of pay may be applied with equity under the same, or substantially the same, employment conditions shall be allocated to the same class. Class specifications are descriptive and explanatory and not restrictive. They are intended to indicate the kind of position that should be allocated to the several classes and shall not be construed as prescribing what the exact duties and responsibilities of each individual position allocated to the class shall be. The use of any particular illustration of duties or responsibilities shall not be held to exclude others of similar kind or quality not specifically mentioned.

**Section 5. SUB-CLASSES:** When for purposes of recruitment it is deemed desirable that a more specialized examination should apply to employments within a given class, the Civil Service Commission shall in its discretion set up sub-classes. Such sub-classes shall be deemed as part of the general class of which they are a sub-division for purposes of salary treatment. (SECTION AMENDED 12-11-53)

**Section 6. REPORTS FROM APPOINTING OFFICERS:** Appointing Officers shall immediately notify the Civil Service Commission of the proposed creation or abolishment of any position and of any change in duties of existing positions as provided in Section 143 of the Charter.

**Section 7. AMENDMENTS TO CLASSIFICATIONS:** The Civil Service Classifications of positions may be amended at any meeting of the Commission. All requests for amendments of classifications or changes in allocation of positions shall be posted on the blackboard of the business office of the Commission for a period of at least one week before such request shall be acted upon by the Civil Service Commission. The allocation or reallocation of a position shall not adversely affect the Civil Service rights of an occupant regularly holding such position.

**Section 8. OFFICIAL COPY:** The Secretary shall maintain in convenient form for workable purposes an accurate and complete copy of the position classification plan to be designated as the official copy. Such copy shall be currently maintained reflecting all changes made in classifications. All changes made in allocations of positions shall be recorded in the official minutes of the Commission. (Sec. 144.)



## RULE 2. APPLICANTS

Section 1. QUALIFICATIONS: Every applicant must possess the qualifications required by law and by the announcement of the examination for which he applies.

Experience which has been gained in violation of a rule of the Civil Service Commission will not be credited to a participant in any examination. (Section 1 amended 2-3-69)

Section 2. CHARACTER AND FITNESS: Applicants must be of a good moral character, of temperate and industrious habits and in all respects competent and fit to perform the duties of the position applied for. No person who has been dismissed from the service of the City and County after a hearing on charges or who has resigned from a position while he is under suspension or while charges are pending against him or whose services had not been satisfactory shall, unless otherwise ordered by the Commission, be eligible to participate in any examination except with the consent of the Civil Service Commission obtained at a meeting of the Commission, and any standing secured by examination without such consent shall be void. (Section 144) (SECTION AMENDED 12-11-53)

## RULE 3. APPLICATIONS

Section 1. NOTICE OF EXAMINATIONS: Requests for notice of dates when applications may be filed for any examination must be made on printed forms provided by the Commission. When date of examination has been set, notice thereof will be sent to the inquirers, at their risk, by mail. A separate written request must be made for each class.

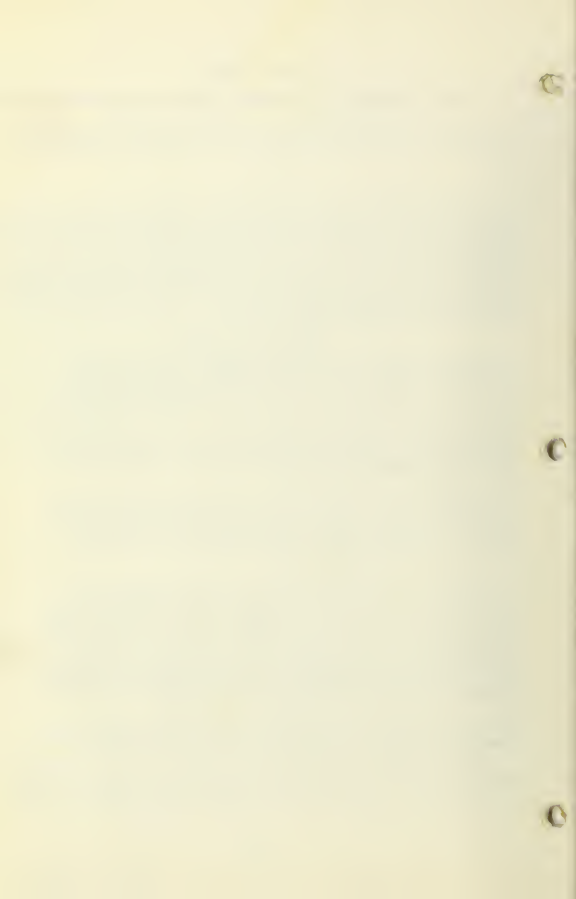
Official notice of entrance examinations will be published in the official newspaper, and posted on the bulletin board in the business office of the Civil Service Commission and, if further notice is deemed necessary or proper, the same may be ordered by the Commission or the Personnel Director and Secretary.

When examinations for promotion are to be held, the Personnel Director and Secretary will give notice thereof to all persons in positions entitling them, under the examination announcement and the civil service rules, to participate in such examinations, by posting information thereof in the business office of the Commission for a period of ten days and by notifying the departments concerned. (Section Amended 12-11-53 and 1-15-59)

Section 2. DISTRIBUTION AND RECEIPT: Application forms shall be distributed only after the date has been set by the Personnel Director and Secretary for the examination for which they are to be used. They must be filed at the office of the Commission and will be received only during the time indicated in the examination announcement. Applications submitted in person or by messenger must be delivered to the examination division of the Civil Service Commission not later than 5:00 P.M. of the final date for the receipt of applications specified in the examination announcement. Applications submitted through the mail must be post-marked not later than midnight of the final date for receipt of applications specified in the examination announcement.

Under no circumstances shall application forms for any examination be distributed after the closing time for receipt of applications for such examination has passed. (Section Amended 12-11-53 and 1-15-59)

Section 3. DEFECTIVE APPLICATIONS: Applications must be filed absolutely in accordance with the conditions stated in the examination announcement. Applications defective in any particular may be rejected. (SECTION AMENDED 12-11-53)



Section 4. NOT TO BE RETURNED: Written applications are the means for submitting to the Civil Service Commission full and accurate information concerning the education, work record, personal history, etc. of the applicant for appraisal, audit, and evaluation of his qualifications. These evaluations may be used in rating portions of the examination as provided in the examination announcement or for determining the eligibility of the applicant to compete in further portions or tests included in the examination. Applications filed with the Commission shall become the property of the Commission and under no circumstances will be returned to applicants or allowed to be altered or added thereto, provided that, applicants may submit written statements in explanation of information already noted on the application. (SECTION AMENDED 12-11-53)

Section 5. UNUSED: Unless otherwise ordered by the General Manager, Personnel, applications for one examination shall not be used for any other or later examinations. (Section Amended 2-19-59)

Section 6. NO VARIATION IN NAME: Applicants must give correct and full name in applications and there must be no variation in the applicant's name in any part of the application. (SECTION AMENDED 12-11-53)

Section 7. NAMES NOT TO BE MADE PUBLIC: The names of applicants for any examination shall not be made public prior to announcement of result of examination. Names of participants who fail in any examination shall not be made public.

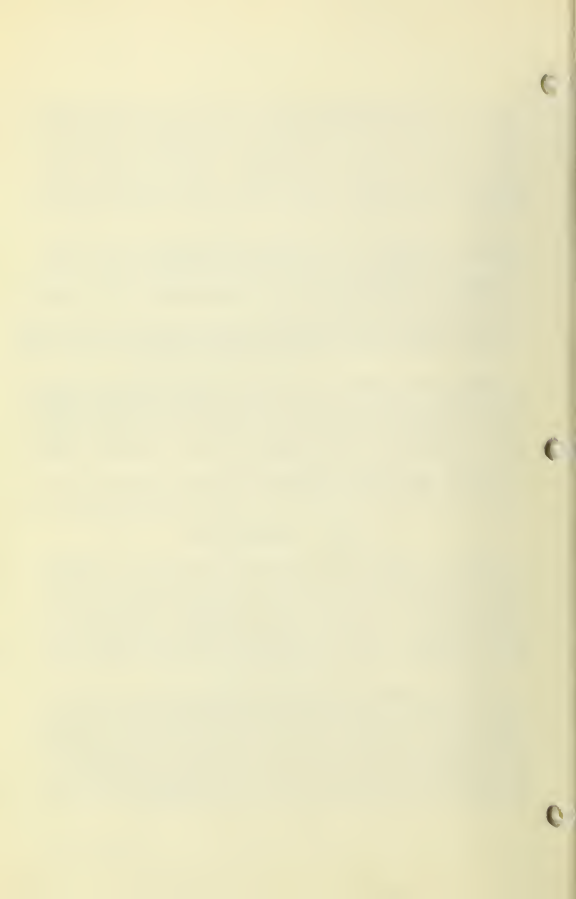
Section 8. FALSE STATEMENTS: False statements of any kind made or permitted by any applicant in his application shall be good cause for the exclusion by the Commission of such person from any examination, the removal of his name from the register of eligibles and for his removal or discharge from public service. The Commission or Personnel Director and Secretary may refer to the District Attorney for prosecution in accordance with Ordinance 5431, the case of any applicant who willfully or knowingly makes any false, incomplete, or incorrect statement of material fact in his application. (SECTION AMENDED 12-11-53)

Section 9. CERTIFICATION OF EXPERIENCE ON THE APPLICATION FORM: Applicants must record in their application form a true and complete statement of experience as required by the examination announcement and application form. (SECTION AMENDED 12-11-53)

#### RULE 4. EXAMINATIONS

Section 1. FORMS OF: Examinations shall be practical in character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed. All examinations shall be absolutely impartial and shall be conducted under the control of the Personnel Director and Secretary and may consist of one or more of the following forms: (1) Assembled Written Examination; (2) Non-Assembled Written Examination; (3) Oral Examination; (4) Non-Educational Examination; (5) Athletic Test; (6) Physical Test; (7) Practical Test; (8) Medical Examination. (Section Amended 1-15-59)

Section 2. ASSEMBLED WRITTEN EXAMINATION: This form of examination shall be so managed and conducted that no examination paper will disclose the name or identity of any participant until all the examination answer sheets shall have been marked; provided that when a minimum passing mark has been fixed for any or all parts of such written examination the identification sheets of the candidates receiving less than such passing mark may then be opened for the purpose of eliminating such candidates, but the identification sheets of the remaining participants shall not be opened until all of the subjects of the entire examination shall have been completely and finally rated.



No helps of any kind shall be allowed during the examination, unless by direction of the Civil Service Commission or Personnel Director and Secretary and then identical helps shall be afforded all candidates. Any other written or printed matter that might be of aid in the examination must be handed in to the Examiners before the examination is commenced. Any applicant cheating or attempting to cheat or copy from a competitor shall be removed from the examination and shall thereafter be ineligible to the public service. (Section Amended 1-22-54 and 1-15-59)

**Section 3. NON-ASSEMBLED WRITTEN EXAMINATION:** This form of examination shall be managed and conducted in such manner as may be deemed necessary by the Personnel Director and Secretary according to the class of position and may include such subjects as education, experience and non-assembled test or writings, including publications, reports, essays or theses, to be filed at such time and in such manner as may be announced by the Personnel Director and Secretary.

Any written report, essay, thesis, or other paper, filed in a non-assembled written examination, shall be accompanied by the affidavit of the applicant sworn to before the Personnel Director and Secretary, or before a person authorized by the laws of the State to administer oaths, that such report, thesis or other paper has been wholly prepared by himself and not by or with the help of any other person, except as to the questions and excerpts therein which are to be duly credited to the authors quoted. (Section Amended 1-22-54 and 1-15-59)

**Section 4. ORAL EXAMINATION:** This form of examination may be used whenever deemed necessary for rating on personality and fitness, including age, personal appearance, address, personal history, and such other matters as in the judgment of the Personnel Director and Secretary may seem just and proper. (Section Amended 1-15-59)

**Section 5. NON-EDUCATIONAL EXAMINATION:** In the discretion of the Personnel Director and Secretary, this form of examination may be used for mechanical trades and occupations. Applicants for such positions "may be rated solely on experience and physical qualifications, which may be demonstrated by such evidence and in such manner as the Commission may direct, and such applicants may be submitted to such further tests as the Commission may require". (Section Amended 1-15-59)

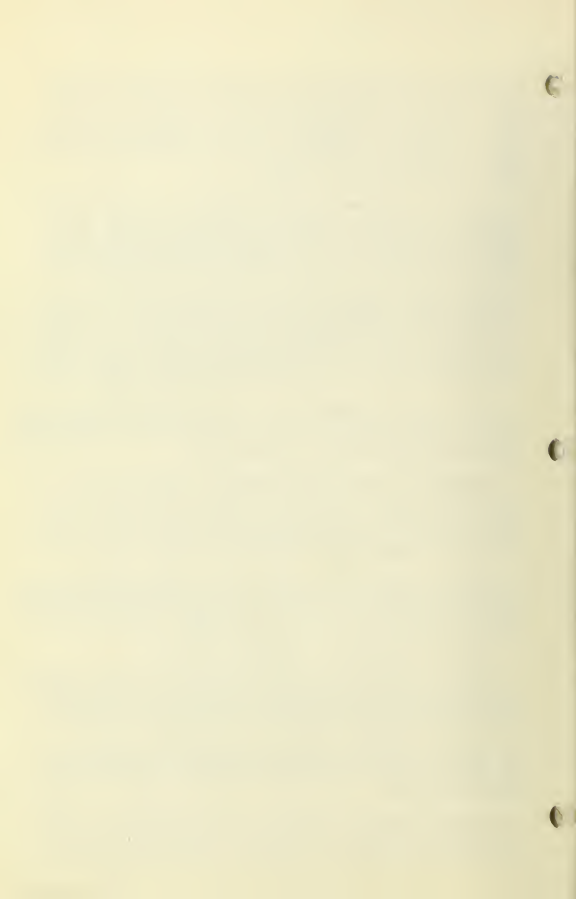
**Section 6. ATHLETIC TESTS AND/OR TESTS OF PHYSICAL FITNESS:** Tests of agility and physical fitness shall be used in connection with examinations for policemen and firemen and may be used in connection with such other examinations as the Personnel Director and Secretary may deem appropriate. (Section Amended 1-22-54 and 1-15-59)

**Section 7. PHYSICAL TESTS:** (Abolished 1-22-54)

**Section 8. PRACTICAL TESTS:** These tests include the actual doing of the work of the position for which the examination is held or similar substitute tests and may be used in examinations for the trades and skilled occupations or such other examinations as the Personnel Director and Secretary may direct. (Section Amended 1-15-59)

**Section 9. MEDICAL EXAMINATIONS:** The Personnel Director and Secretary may at any time require that applicants shall undergo medical examination, and in such cases the applicants who fail to pass the medical examination shall stand rejected unless otherwise ordered by the Commission.

All eligibles for places of employment in the classified civil service must be physically qualified for the positions they seek and unless otherwise ordered by the Commission, shall before certification for permanent appointment, be required to pass satisfactory medical





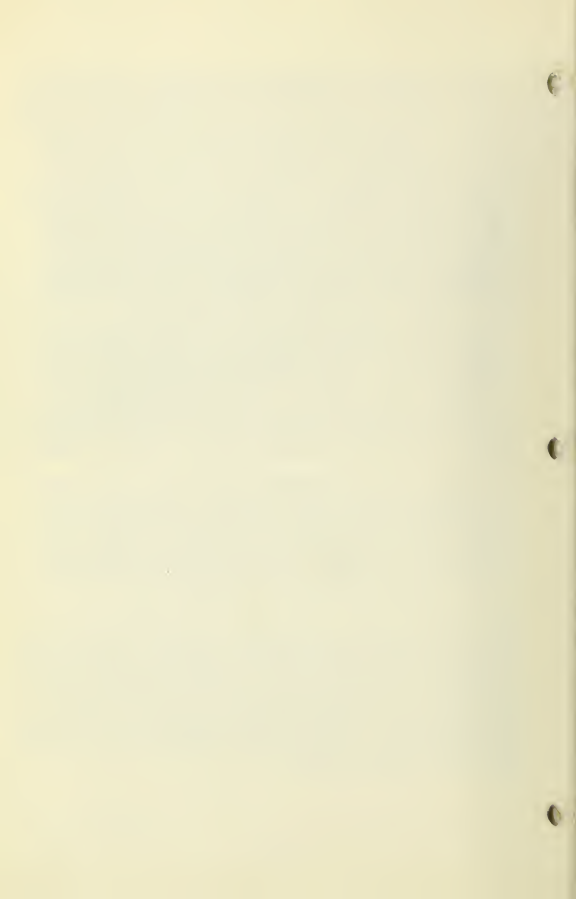
examination before physicians designated for such purpose by the Commission. Eligibles for positions other than those in the uniformed forces of the Fire and Police Departments, who have passed a satisfactory medical examination before physicians designated by the Civil Service Commission, need not be subjected to further medical examination for a period of six (6) months if within that time they are reached for appointment to other positions where the medical standards are not higher than the medical standards used in the examination previously passed. Eligibles who appear before the medical examiners designated by the Commission and who fail to pass the required medical examination shall stand rejected and unless otherwise ordered by the Commission or the Personnel Director and Secretary, such rejection shall apply to any and all eligible lists upon which such eligible may have standing, provided that persons so rejected may thereafter present in writing evidence of medical and physical fitness and may apply to the Commission or the Personnel Director and Secretary thereof, for medical reexamination, and if such reexamination is allowed and the candidate is found to be physically qualified, he may be restored to eligibility. The name of an eligible who is found to have a disqualifying medical defect that is not correctable, may be removed from the eligible list.

Since temporary appointees become members of the Retirement System if their service continues in excess of a six-month period, eligibles for temporary appointment shall before certification, or recertification, to a temporary appointment that may result in their becoming members of the Retirement System, be required to pass a satisfactory medical examination before physicians designated for such purpose by the Commission. Appointees under temporary certification who are already members of the Retirement System and who have not been subjected to medical examination shall be required to pass a satisfactory medical examination before physicians designated by the Commission prior to recertification to a temporary appointment.

The Personnel Director and Secretary may also require that eligibles for temporary or seasonal appointments shall, before certification for employment present a doctor's certificate showing that they are physically qualified to perform the duties of the temporary position and that they are not afflicted with any infectious disease or any physical defect that would make them repugnant to the public or to fellow employees. Eligibles for permanent appointments who have been rejected in the medical examination, shall also stand rejected for temporary appointments unless otherwise ordered by the Commission. (Section Amended 6-15-51 and 1-29-59)

When an eligible indicates acceptance of an appointment to either a permanent or temporary position and is referred for a medical examination and inexcusably fails to complete such medical examination or to report back to the Civil Service Commission office after medical examination, such eligible shall be placed under automatic waiver for all appointment from such eligible list, and such waiver if it is a first waiver of appointment shall not be removed except with the special permission of the General Manager, Personnel. If such waiver constitutes a second waiver of permanent appointment, then the name of such person shall be removed from the eligible list in accordance with the provisions of Rule 21, Section 1.  
(New section - adopted 12/7/61)

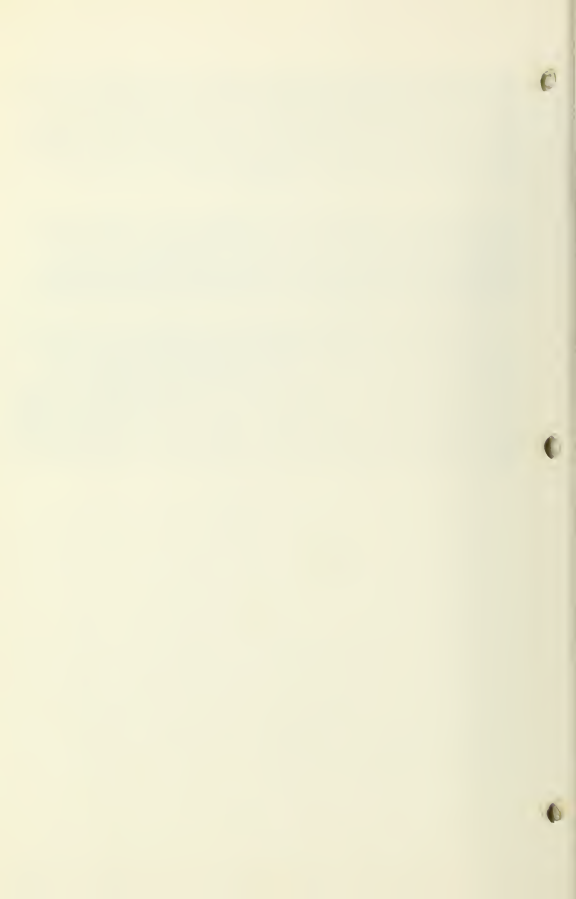
DEC 14 1966



Notwithstanding any other provision of Rule 4, Section 9, the General Manager, Personnel, upon the advice of the medical examiners, is authorized to certify eligibles with medically disqualifying conditions that are subject to correction within a reasonable time period; and order that the employment of such persons be subject to passing all medical requirements within five (5) months of the date of certification, or lesser time, if conditions warrant. Requests for reconsideration of a ruling of the General Manager, Personnel, under this subject will be heard by the Civil Service Commission only if filed in writing by noon of the sixth calendar day following the ruling. (New 6th paragraph to Sec. 9 - Rule 4 - Adopted 3-16-70)

Section 10. LABORERS: Examination of laborers shall relate only to physical qualifications and experience, and laborers establishing their fitness shall rank upon the qualified register in order of their priority of application. When notified, candidates on the original register shall present themselves for examination. Candidates failing to appear for examination when notified by the Personnel Director and Secretary shall be removed from the register. (Section Amended 1-29-59)

Section 11. PROMOTIONAL: Whenever it deems it to be practicable, the General Manager, Personnel, shall provide for promotion in the service on the basis of such examinations and tests as the General Manager, Personnel, may deem appropriate, and shall, in addition, give consideration to ascertained merit and records of city and county service of applicants. The General Manager, Personnel, shall announce in the examination scope-circular the next lower rank or ranks from which the promotion may be made. All promotions in the Police and Fire Departments, respectively, shall be made from the next lower rank on the basis of examinations and tests, seniority of service and meritorious public service being considered. (Section Amended 1-29-59)



Section 11.1. Promotional examinations shall be open only to appointees holding civil service permanent status in a position allocated to a classification designated in the official examination announcement as a next lower rank and who possess the other qualifications prescribed in the announcement, provided that for purposes of this rule the following persons are deemed to hold permanent civil service status:

(a) An appointee on duly authorized leave of absence from a position allocated to a classification designated as a next lower rank;

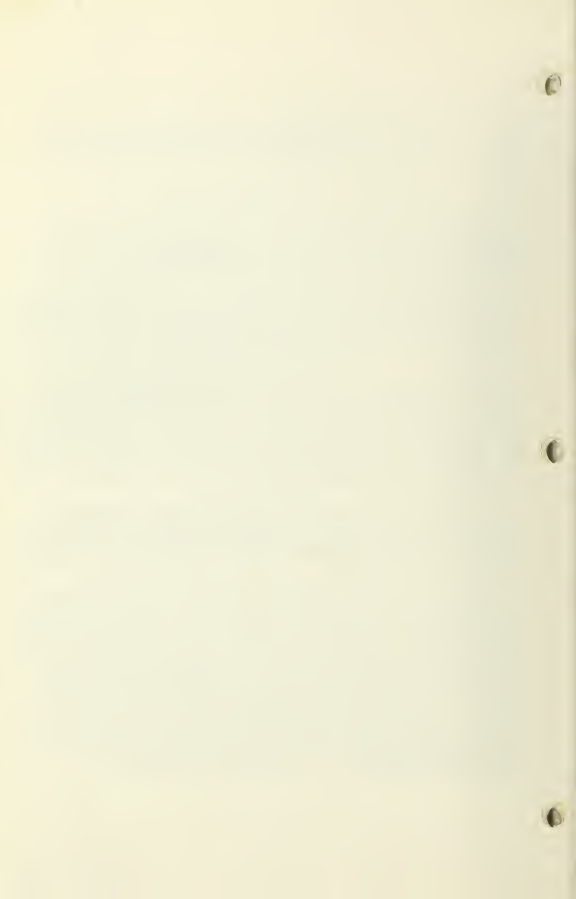
(b) An appointee with holdover status (Rule 26) in a position allocated to a classification designated in the official announcement as a next lower rank, provided that such appointee has been employed in such classification either under temporary or permanent civil service appointment within a period of one year immediately prior to the beginning date of the examination;

(c) An appointee who on the beginning date of the examination is serving a probationary appointment in a position allocated to a classification designated as a next lower rank as a result of a transfer (Rule 34) from a position of the same classification in another department. Such person shall be entitled to appointment from the list of eligibles resulting from the promotional examination if he secures standing thereon at such time as he may be reached for appointment without regard to his probationary status; (Sec. Amended 4-14-60)

(d) An appointee who on the beginning date of the examination is serving a probationary appointment in a classification not designated as a next lower rank in the promotional examination but who, immediately prior to his current probationary appointment, held an appointment under civil service permanent status in a classification designated as a next lower rank for the promotional examination; provided, however, that the name of such person, if he secures standing on the list of eligibles created from the promotional examination, shall be removed therefrom upon completion of his current probationary appointment, unless by order of the Personnel Director and Secretary or the Civil Service Commission it is determined that the duties and responsibilities, and the training and experience required in the current position are so closely related as to warrant continuation of eligibility;

(e) An appointee who on the beginning date of the promotional examination is serving a probationary appointment in a position allocated to a classification designated as a next lower rank and who, under the provisions of Sections 153 or 146.1 or 146.2 of the Charter, is permitted to participate in promotional examinations while serving a probationary appointment, but such rights and benefits thereof shall be in accord with the provisions of Sections 153, 146.1 and 146.2. (New Section - Added 4-23-54)

Section 12. EXAMINATION ANNOUNCEMENT: The official notice of the examination shall be known as the examination announcement. The term "Scope-Circular" when used in other sections of these rules shall mean the official announcement. The Personnel Director and Secretary shall authorize the issuance of an examination announcement for each examination, or each set of examinations, and such examination announcement shall contain the name, date, place and scope of each examination, and such details as may be relevant for the applicants, the conduct of the examination, and the maximum duration of eligibility, if for less than four years. Such examination announcement when authorized shall govern only the examination to which it applies. Applicants must read carefully, and be guided solely by, the examination announcement of the examination for which they apply. For a period of seven days following the posting of an examination announcement objections thereto may be filed in writing. Such objections stating in detail the reasons therefor must be received at the offices of the Civil Service Commission within seven business days following the posting of the examination announcement. Such objections or protests received after such seven business days will not be considered by the Commission. (Section Amended 1-29-59)



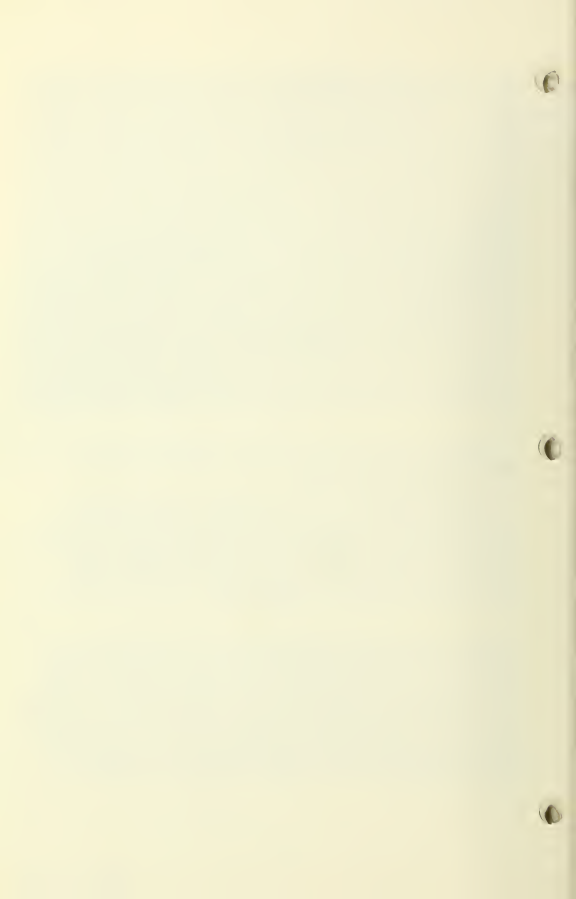
**Section 12.1. CALCULATION OF TIME, AGE, CREDITS FOR SERVICE, ETC.:** In examinations for original entrance to the service, the closing date for receipt of applications as set forth in the examination announcement is the final date to be used for calculating age of applicants, length of residence, citizenship, experience, educational qualifications, etc. Applicants must meet all conditions and possess all qualifications and requirements set forth in the examination announcement as of the closing date for receipt of applications unless otherwise specifically provided in the examination announcement. Whenever age is used as the basis for breaking ties in scores or ratings of eligibles in entrance examinations, the age of the eligible on the final date for receipt of applications shall be used.

In examinations for promotion in the service, the official beginning date of the examination as set forth in the examination announcement shall be the final date for the calculation of credits for city and county service including seniority of service and years of service, for completion of probationary appointment, for the rating of ascertained merit including acts of merit or demerit, or disciplinary acts, etc. Service beyond that date, and acts of merit or demerit or disciplinary acts recognized by the appointing authority and recorded and made a part of the service record of the employee after the official beginning date as set forth in the examination announcement will not be considered in that examination. Whenever age is used as the basis for breaking ties in scores or ratings of eligibles in promotional examinations, the age of the eligible on the beginning date of the examination shall be used. The final date for receipt of applications is used in entrance examinations for the purposes set forth because it is desired that all participants in examinations possess the qualifications required of appointees and because it is obviously inadvisable to allow credits for prospective experience or education, etc. beyond the last date for filing of applications. The official beginning date of the examination is used for the purposes indicated in promotional examinations because it is desired to establish a final date for calculation of service and other factors in promotional examinations which will allow for all city and county experience possible in such examinations and at the same time establish a reasonable and uniform method of calculation of such credits.

**Section 12.1a. RATING OF SERVICE IN PROMOTIONAL EXAMINATION FOR EMPLOYEE APPOINTED TO A POSITION FUNDED UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971, OR OTHER SPECIAL FEDERAL OR STATE PROGRAM.**

An employee appointed from a regular eligible list to a position funded under the Emergency Employment Act of 1971, or other special federal or state program where in order to qualify for funds appointees must meet and maintain qualifications established by the funding agency, and who in accordance with the provisions of Section 11.2 of this rule qualifies for and participates in a promotional examination, shall be credited with service only from the date his standing on the eligible list would have qualified him for appointment to a regularly budgeted position, or if not so reached, then from the date of expiration of the eligible list. (Section 12.1a adopted 9-8-71 - amended 11-8-71)

**Section 12.2 RATING ASCERTAINED MERIT AND MERITORIOUS PUBLIC SERVICE IN PROMOTIONAL EXAMINATIONS IN THE FIRE AND POLICE DEPARTMENTS.** A participant in such promotional examination who has a clean record of service in his department shall be allowed the additional credits for a clean record as provided in Section 146 of the Charter. When provided for by charter provision, a specific act of merit performed by a participant in such a promotional examination or an act of demerit committed by a participant in such an examination which act occurred prior to the official beginning date of the examination and is recorded on the record of service of the participant shall be evaluated and rated according to the judgment of the Civil Service Commission and as set forth in the official records of the Commission before the opening of identification sheets and subject to the following conditions:





(a) An act of demerit committed by a participant in such promotional examination which occurred ten years or more before the official beginning date of such examination is deemed expunged from the record of service of such participant and he is deemed to have a clean record of service in his department if he has an exemplary record of service during such ten-year period.

(b) For the purpose of this rule, the following classes are referred to as basic classes:

- H 20 Lieutenant, Fire Department
- H 30 Captain, Fire Department
- H 40 Battalion Chief, Fire Department
- H 50 Assistant Chief of Department, Fire Department
- H206 Lieutenant, Salvage Corps
- H208 Captain, Salvage Corps
- Q 50 Sergeant
- Q 60 Lieutenant
- Q 80 Captain

The following classes are referred to as intermediate or specialized classes:

- H 4 Inspector, Bureau of Fire Prevention and Public Safety
- H 6 Investigator, Bureau of Fire Investigation
- H 22 Lieutenant, Bureau of Fire Prevention and Public Safety
- H 24 Lieutenant, Bureau of Fire Investigation
- H 32 Captain, Bureau of Fire Prevention and Public Safety
- H152 Inspector of Fire Department Apparatus
- Q 25 Inspector of Motor Vehicles
- Q 28 Range Master
- Q 63 Criminologist
- Q 62 Photographer, Police Department

An act of merit or demerit which has been evaluated and rated in a promotional examination in a basic class shall not again be evaluated and rated in any subsequent promotional examination in a basic class, or in an intermediate or specialized class which is promotional from the basic class in which such credit was evaluated and rated.

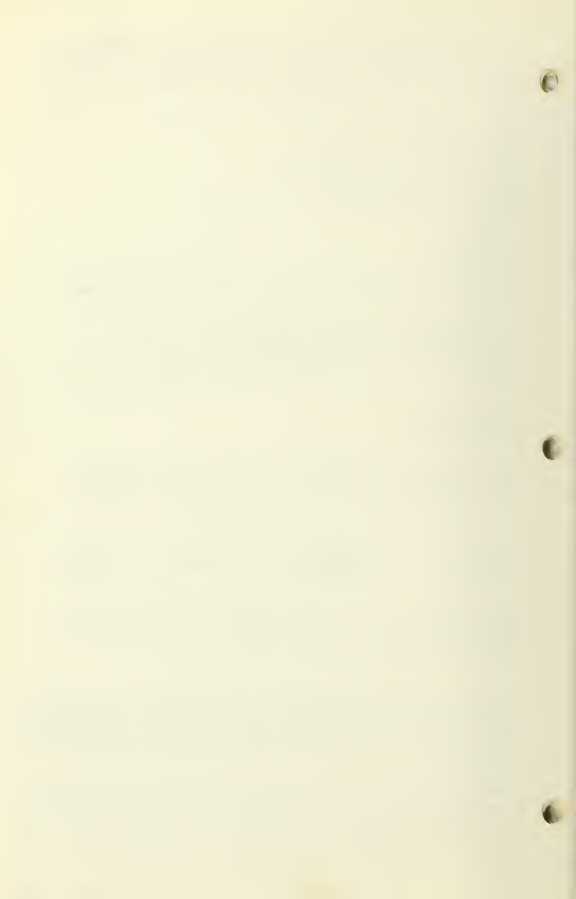
An act of merit or demerit which has been evaluated and rated in a promotional examination in an intermediate class shall not again be evaluated and rated in any subsequent promotional examination in an intermediate class.

In the event a candidate participates in more than one promotional examination having the same official beginning date, then acts of merit or demerit which have not been previously evaluated and rated as indicated above shall be evaluated and rated in all such promotional examinations participated in with the same official beginning date.

(NEW SECTION ADDED 8 28 53)

Section 13. Persons holding appointment in a regular permanent position in one class shall not, while holding such appointment, be permitted to participate in any subsequent examination held for such class, and any examination standing secured in violation of this section shall be void; in short, no person may be an appointee in a permanent regular position of one class and at the same time be an eligible for an appointment to a position in the same class.

Except with the express permission of the Civil Service Commission or the Personnel Director and Secretary thereof, a person holding permanent civil service appointment in a regular position in the municipal service shall not be permitted to participate in an entrance examination for a different classification for which the recommended salary range is less than the salary range recommended for the class for which he holds permanent status. Applications submitted contrary to the provisions of this section shall be rejected. (Sec 145.)



## RULE 5. EXAMINATION QUESTIONS

Section 1. PREPARATION: All questions for written examinations shall be prepared under the direction of the Personnel Director and Secretary by direction of the Commission. No questions pertaining to religious or political opinions or affiliations will be allowed at any examination or proceeding. (SECTION AMENDED 1-22-54)

Section 2. CUSTODY: The maintenance of the security of examination questions and materials shall be under the direction of the Personnel Director and Secretary. (SECTION AMENDED 1-22-54)

## RULE 6. SEALING IDENTIFICATION SHEETS

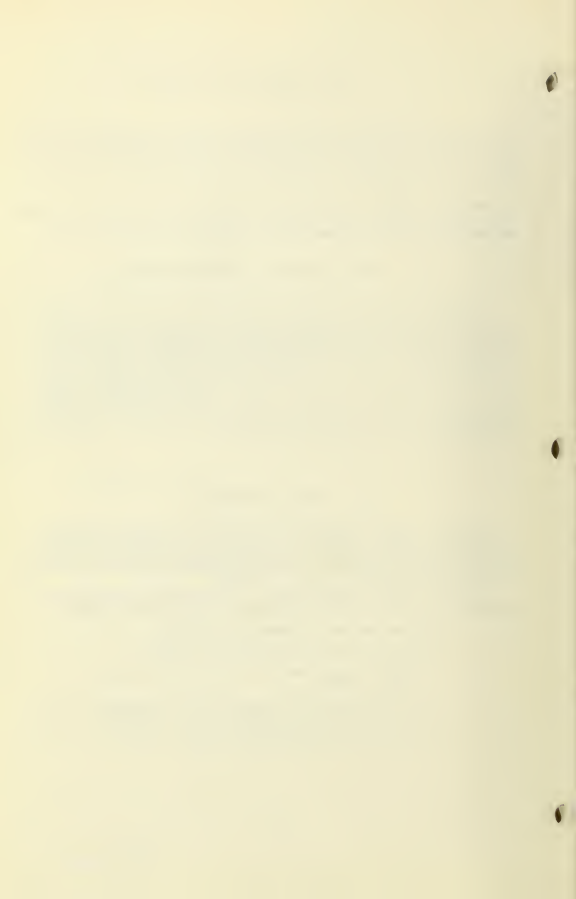
In written examinations each competitor must write his full name and address upon the identification sheet and securely seal the same. After all examination papers shall have been handed in, they shall be arranged so that it will be impossible to tell the location of any candidate's papers. Each set of papers, and the sealed identification sheet of such set, shall then be stamped with the same number. The identification sheets shall then be detached and wrapped into a package and this package shall then be sealed. Except as provided in Section 2 of Rule 4, the sealed package shall not be opened until all the answer sheets have been finally marked and a passing mark has been established by the General Manager, Personnel. (Section Amended 1-22-54 and 2-19-59)

## RULE 7. IDENTIFICATION MEANS

Section 1. DISQUALIFICATION: Any competitor in a written examination, who places any form of identification mark upon his examination sheets or retains in his possession any record thereof, shall be deprived of all benefits under such examination. No written examination answer sheets having identification marks shall be marked or graded.

Section 2. MEANS OF IDENTIFICATION: The following are declared to be means of identification within the meaning of Section 1 of this rule:

- (a) The real name or address of applicant;
- (b) Any assumed or fictitious name or address;
- (c) Names of individuals or firms used on any of the answer sheets;
- (d) Any initials, lines, signs, marks, or characters that may indicate the identity of the applicant; (Sec.141)
- (e) Copies or records of answers made in a written examination. SECTION AMENDED NOV. 19, 1959



## RULE 8. MARKING AND GRADING PAPERS

Section 1. EXAMINATIONS: All examination papers shall be marked and graded under the direction of the General Manager, Personnel. Persons not in the service of the Commission shall not be permitted to view examination papers that are in the course of rating. All incompleeted examination papers shall be securely locked in the safe or vault of the Commission during any suspension of rating and under no circumstances shall they be left unguarded by the examiners unless so locked. (Section 1 amended 10/26/61)

Section 2. RATING: The rating of an examination including the rating of the various parts of the examination shall be as indicated in the examination announcement. (SECTION AMENDED 1-22-54)

Section 3. DISCONTINUANCE: Whenever a participant fails to secure the passing mark fixed for any part of an examination, or for any subject of an examination, he shall be deemed to have failed, and further rating in such case shall be discontinued. (Sec. 141.)

## RULE 9. MINIMUM STANDING

In examinations for classes where past experience has developed a proper passing mark, said passing mark shall be published in the examination announcement. In all other examinations the following provisions shall apply.

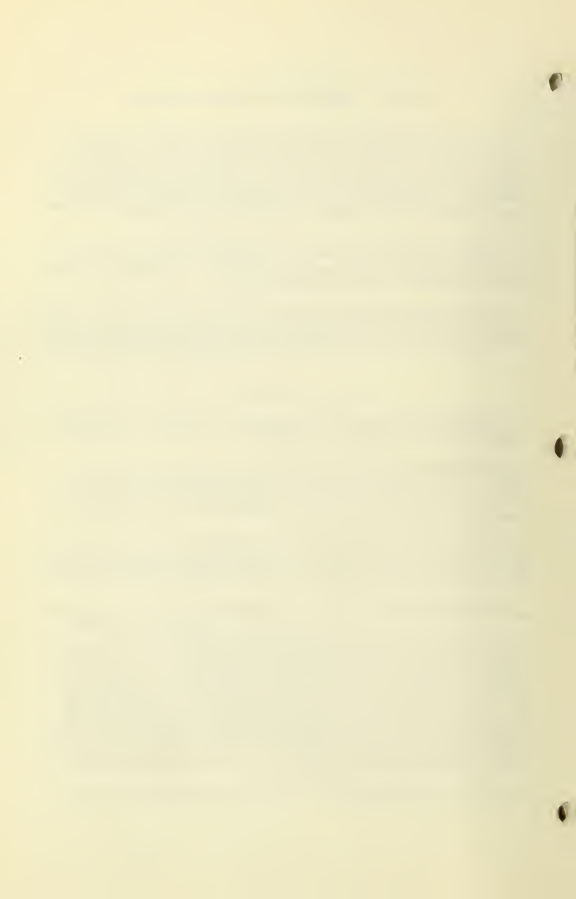
The passing mark for each written examination or series of examinations shall be 70 points on a 100 point rating scale unless it is determined that because of the limited number of current and definitely anticipated vacancies, the number of candidates shall be limited to a certain number. The score in the written portion of the examination will be the product of the weight as provided in the examination announcement and the decimal equivalent of the above provided rating scale.

The General Manager, Personnel shall determine the weight allowed for each question following the adoption of the official rating key and after giving due consideration to the difficulty of the test and the job requirements. The passing mark based on the rating scale referred to in Paragraph 2 may be equal to, below, or above an arithmetical score of 70% of the items in the examination.

The required passing mark or standard for flexible staffing, typing tests, stenographic tests and other work-sample tests shall be as stated in the examination announcement.

Should the number of candidates be limited to a certain number as provided above in Paragraph 2, those additional candidates who attained a score above the score calculated in accordance with the second and third paragraphs above, shall be placed on the list, but will not be offered either permanent or temporary appointment until they successfully complete the remaining parts of the examination; provided that for such additional candidates who are placed on the list as a result of a promotional examination, ratings for city and county service and for ascertained merit will be based on the computation date listed on the examination announcement. The remaining sections of the examination (not including the written) when administered will be considered as qualifying. This procedure shall be effected only in cases where the number of candidates admitted to the original qualifications appraisal was limited because of a limited number of current and definitely anticipated vacancies in the classification, and an unanticipated need for employees in the classification has arisen.

No changes in the passing mark shall be made after the identification sheets have been opened. (Rule revised 4-1-68)



## **RULE 10. PREFERENCE TO WAR VETERANS AND THEIR WIDOWS**

**Section 1. "VETERAN" DEFINED:** The term "veteran" as used in this rule shall be taken to mean any person who has enlisted or been mustered into or served in the Army, the Air Corps, the Navy or the Marine Corps, or the Coast Guard of the United States in time of war and received an honorable discharge or certificate of honorable active service.

(AMENDED 1-16-53; CHARTER SECTION 145.1 RATIFIED 1-9-53)

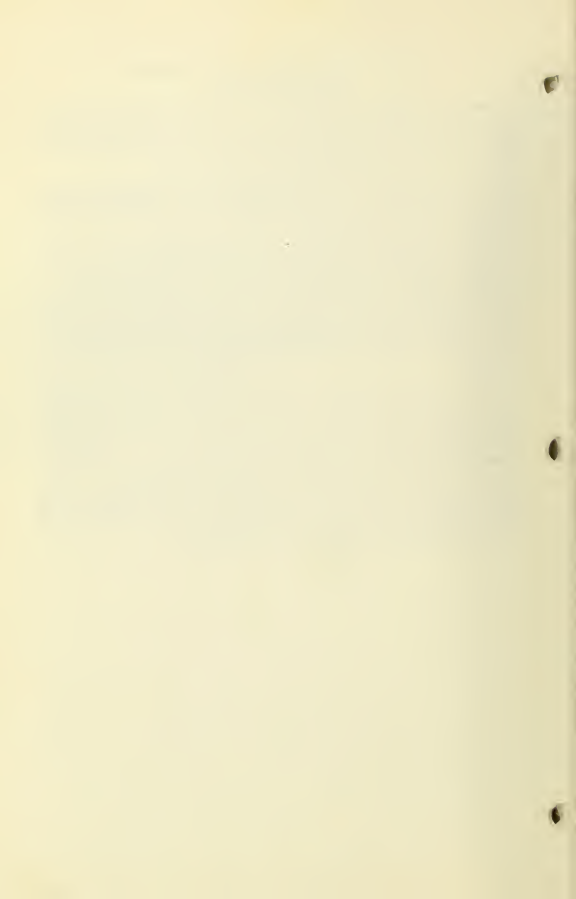
**Section 2. ENTRANCE EXAMINATIONS:** Veterans with thirty days or more actual service, and widows of such veterans, when the passing mark has been attained in any examination, shall be allowed an additional credit of 5 per cent in making up the list of eligibles secured by such examination.

**Section 3. PROMOTIVE EXAMINATIONS:** In the case of promotive examinations, when the passing mark has been attained, a credit of 3 per cent shall be allowed to veterans or to widows of such veterans.

**Section 4. LIMIT TO ENTRANCE AND PROMOTIVE PREFERENCE:** In accordance with charter provision, not more than one entrance appointment and one promotive appointment may be allowed to any one person from eligible lists on which the ranking of the employee includes credit for veteran's preference. When an eligible receives such an entrance or promotive appointment and successfully completes his probationary period, such other additional preference credits that have been allowed him on other entrance or promotive eligible lists, as the case may be, shall be automatically cancelled and his rank shall be revised to accord with his relative standing before such additional credits were added.

**Section 5. PERMANENT DISABILITY PREFERENCE:** When in its judgment it shall seem just and proper, the Civil Service Commission may, for specific city and county services or employments, as determined by the Commission, allow general or individual preference, but not less than 10 per cent, for entrance appointment of veterans who have suffered permanent disability in line of duty, provided that such disability would not prevent the proper performance of the duties required under such service, or employment, and provided that such disability is of record in the United States Veterans Administration.

**Section 6. TIME FOR CLAIMING VETERAN'S PREFERENCE:** Veteran's preference as provided in Section 2 or 3 of this rule shall be claimed at the time of filing application and shall be accompanied by proof of honorable discharge or honorable active service, provided that, with the approval of the Personnel Director an applicant may, upon a showing of good reason therefor, make or withdraw a claim for veteran's preference prior to the actual holding of the written portion of the examination.





Section 7. TIME OF WAR - PERIODS COVERED BY: (a) The war with Germany began with our declaration of war, April 6, 1917, and ended with the Armistice on November 11, 1918.

(b) The war against the Axis Powers began with our declaration of war December 8, 1941, and ended with the presidential proclamation of cessation of hostilities on December 31, 1946.

(c) The period of time during which the United States assisted the United Nations in active military operations in Korea began on June 27, 1950 and ended with the cessation of active military operations on July 27, 1953. (AMENDED 1-22-54)

(d) The periods of time other than those listed above during which the United States has been engaged in active military operations against a foreign power, whether or not war has been formally declared, will be determined by the Civil Service Commission upon a review of the individual applicant's service record and application for veteran's preference credits. (AMENDED 1-16-53; CHARTER SECTION 145.1 RATIFIED 1-9-53)

(e) The period of time during which the United States armed forces became engaged in active military operations in South Vietnam against North Vietnam beginning March 7, 1965, and to end with the date of cessation of such active military operations.

Section 8. PROOF OF PREFERENCE CLAIM: Veterans should submit with their applications their original discharge (or certificate of active service), or a photostat copy thereof or, if this is not possible, an official record of their military or naval service based upon records of the War or Navy Department. Such document must show the period of active service so as to prove required service in time of war.

Section 9. WIDOWS OF VETERANS: Widows of veterans should submit the following with their applications:

Proof of husband's right to preference;

Marriage certificate or certified copy of church record or affidavit of two witnesses to marriage, or sworn statement of the person who performed the ceremony, so as to prove marriage;

Death certificate or other official record of husband's death, such as certificate of Pension Office or War Risk Bureau, or affidavits of two persons having knowledge of the facts;

Affidavits of two persons certifying that she was not divorced from husband and has not remarried since his death.

Section 10. SURPLUS ABOVE 100 PER CENT: Whenever the additional credit allowed veterans by law shall give a total of more than 100 per cent, the surplus above such 100 per cent shall be used for the purpose of determining the order in which such veterans shall take rank on the list of eligibles, and the candidate having the highest surplus shall take the highest rank. (Sec. 145.)

## RULE 11. NOTICE OF STANDING

After the rating of examination papers is completed a tentative eligible list will be prepared and a copy of such list will be posted on the Bulletin Board. Each participant will be notified of his standing through the mail. (Section 141). (AMENDED 1-22-54)

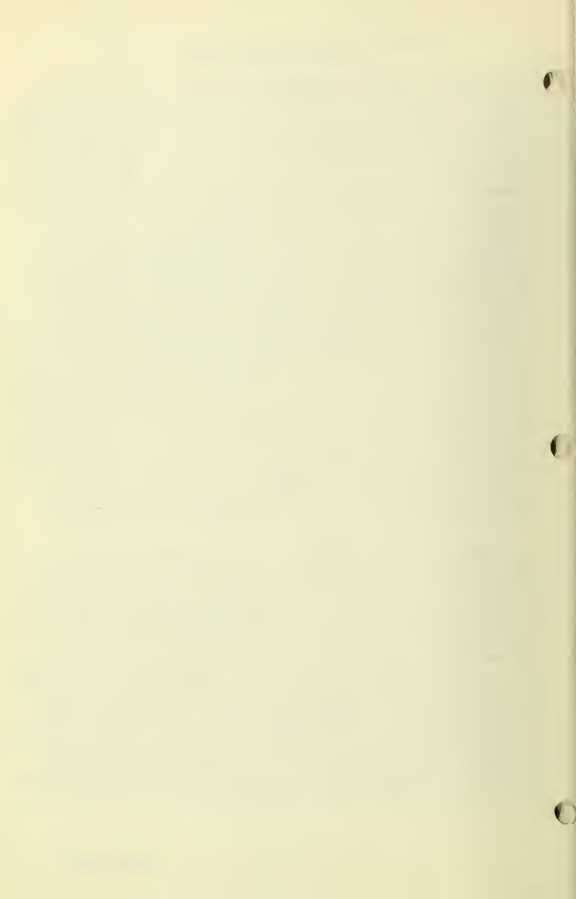


RULE 12. INSPECTION OF RATING KEYS AND CIVIL  
SERVICE EXAMINATION PAPERS

Section 1. INSPECTION OF RATING KEYS: Prior to the rating or scoring of the examination papers the questions asked in the written examination and the rating keys answers will be available for inspection by the examination participants for a period of time to be determined by the General Manager, Personnel. Such inspection period shall be indicated on the examination booklet. Unless special permission of the Supervisor of Examinations is obtained, participants shall not be allowed more than one inspection of the rating key. The time allowed for such rating key inspection may be extended or curtailed if in the judgment of the General Manager, Personnel, the needs of the service or the number of participants warrants. The examination papers of the applicants will not be available for inspection during the rating key inspection period. Copying of examination questions in part, or in entirety, except on forms provided by the Commission, is prohibited. Such forms shall not be removed from the office of the Civil Service Commission. The purpose of this inspection of the rating key answers is to correct any errors in the rating key answers or to determine whether any of the questions asked in the examination may be ambiguously or incorrectly phrased; therefore, protests by participants regarding the questions or the rating key answers must be filed in writing with substantiating data or authority during this rating key inspection period on forms provided by the Commission. Following the close of the inspection period the rating key will thereupon become the official rating key, provided no protests have been filed. If any protests have been filed against the rating key during the inspection period, the questions protested and the key answers shall be immediately available to participants for an additional period, to be determined by the General Manager, Personnel, during which time the staff will accept arguments supported by authorities which uphold the key answers. The staff may refer the questions protested to authorities for review. Following action by the Commission on the protested questions the final rating key will be officially adopted by the Commission. After the official rating key has been adopted, the examination papers have been scored and the identification sheets of the participants have been opened so that the identity of the participants is known, the Civil Service Commission shall not make any changes in the examination questions or answers.

Section 2(a). IMMEDIATE INSPECTION OF OWN PAPERS PRIOR TO COMPLETION OF EXAMINATION BY PARTICIPANTS FAILING IN WRITTEN PART OF EXAMINATION: Where there are several parts in the examination, and participants failing in the written examination are excluded from the remainder of the examination, such participants shall be immediately notified of their failure. The examination papers of such participants shall be available for two days, not including Saturdays, Sundays or Holidays, for inspection by such participants, and protests on the written portion of the examination at this time must be made within the two-day inspection period on forms provided by the Civil Service Commission. The time allowed for this rating key inspection may be extended, if, in the judgment of the General Manager, Personnel, the needs of the service or the number of participants warrants. The purpose of this inspection period is to permit such examination participants to check their own papers with the official rating key to satisfy themselves that their papers have been correctly rated. Copying of examination questions in part, or in entirety, is prohibited. Protests made at this time regarding the rating key will not be considered by the Civil Service Commission. Participants notified of their failure, whose examination status is not changed through subsequent Commission action will receive no further notification from the Commission.

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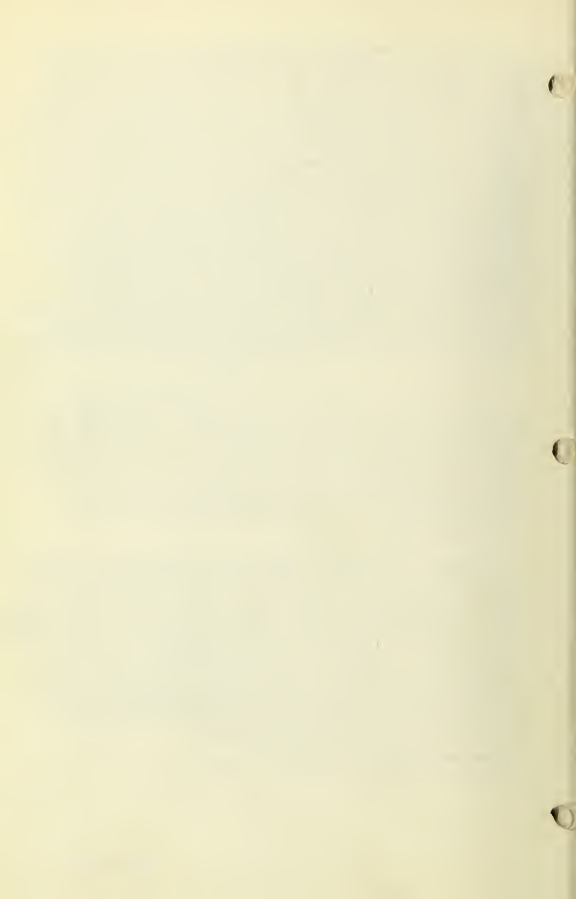


Section 2(b). INSPECTION OF OWN EXAMINATION PAPERS BY PARTICIPANTS: After the papers of an examination are rated and a tentative list of eligibles is prepared, the said tentative list of eligibles shall be posted in the offices of the Civil Service Commission for a period of time to be determined by the General Manager, Personnel, but such period shall not be less than three working days for entrance examinations or five working days for promotional examinations, nor more than two calendar weeks for either entrance or promotional examinations. A participant in an examination may inspect his own examination papers during this inspection period under the supervision of monitors employed by the Civil Service Commission. The examination papers of a participant are hereby defined to consist of the application filed by the participant and the questions and answers and all marks and grades relating to the examination of that particular participant, except that the identity of the oral examiners shall not be a part of such record. The purpose of this inspection period is to permit examination participants to check their own papers with the official rating key to satisfy themselves that their papers have been correctly rated. Unless special permission of the Supervisor of Examinations is obtained, participants shall be allowed only one inspection of their papers. Copying of examination questions in part, or entirety, is prohibited. Protests by participants in regard to their ratings must be filed with the Civil Service Commission on forms provided by the Civil Service Commission within the inspection period. Protests made at this time regarding the rating key will not be considered by the Civil Service Commission.

Section 2(c). INSPECTION OF RATING KEYS AND CIVIL SERVICE EXAMINATION PAPERS: Inspection of own examination papers by participants whose candidacy has been cancelled. When, after the written portion of an examination has been held, it is determined that a participant in the examination was not qualified to participate in such examination and his examination candidacy is cancelled, or whose candidacy is cancelled for any reason, the General Manager, Personnel, may authorize such person to inspect his own examination papers in accordance with applicable provisions of Section 2(b) above, but not later than five working days after written notification of cancellation of candidacy.  
(New Section- adopted 12/7/61)

Section 3. INSPECTION BY PARTICIPANTS OF THE PAPERS OF OTHER PARTICIPANTS OR INSPECTION OF PAPERS BY NON-PARTICIPANTS: During the inspection period provided under Section 2(b) of this rule, any citizen may inspect the examination papers of any participant in an examination as provided in Section 2(b) hereof, or any participant may inspect the examination papers of any other participant in such examination, provided, however, that copying of examination questions in part, or in entirety, is prohibited. A fee of \$1.00 shall be charged and collected for the inspection of the examination papers of any one candidate inspected under the provisions of this section. Protests by persons inspecting examination papers under the provisions of this section must be filed with the Civil Service Commission within the inspection period on forms provided by the Civil Service Commission. Protests regarding the rating key made at this time will not be considered by the Civil Service Commission.

(Amended Min. 1-5-61. Ratified 1-12-61.)  
(Section 4 abolished Min. 1-5-61.)



## RULE 12.1 QUALIFICATIONS APPRAISAL INTERVIEWS

### Section 1. PROCEDURES AND APPEALS ON QUALIFICATIONS APPRAISAL INTERVIEWS.

#### A. Procedures and Practices.

1. The orientation of the qualifications appraisal board may include a presentation by the department head or his representative which includes a description of the classification for which the examination is being held, the setting of the class in his department, the critical elements of personal characteristics needed by employees in the class, and related information. The department head or his representative shall not discuss any candidate with any member or members of the qualifications appraisal board at this time or any other time prior to the completion of the examination.

2. No fraternal rings, organization pins, or insignia of any kind shall be displayed by the board members in any qualifications appraisal interview nor shall such rings, pins, or insignia be worn by any candidate who appears before such a board.

3. No department head or any employee of his department shall serve on qualifications appraisal boards for promotional examinations. Employees of the Civil Service Commission staff shall not serve on qualifications appraisal boards for any examination if one or more of the candidates is related to the staff member or if any strong personal associations exist between one or more candidates and the staff member so that it would be difficult to make an impartial rating.

4. No candidate shall discuss his candidacy or any relationship thereto with the qualifications appraisal board members prior to the completion of all parts of the examination(s) and the final adoption of the list(s) of eligibles resulting therefrom.

5. No letters of reference or recommendation shall be presented to the qualifications appraisal board.

6. In all qualifications appraisal interviews the same standards shall apply to all candidates who appear for the same classification.

7. The minimum passing or qualifying rating must be related to a classification, not to a single position within a multiple position classification.

8. No applicant for public employment shall be questioned as to his political views, religious beliefs, labor affiliations, or racial extraction.

9. All qualifications appraisal interviews shall be recorded whenever practical and such recordings shall be retained only until all ratings become final and any timely litigation based thereon has been finally resolved. A defective recording shall not invalidate the interview unless the Civil Service Commission finds the omitted or unintelligible material critically relevant to the case in which event the Civil Service Commission may authorize a second interview, or order a new examination.

10. In the event of any challenge of an examiner or of any ratings in qualifications appraisal interviews all other candidates whose standings in the examination may be affected shall be notified of the challenge.

#### B. Challenge of Board Members.

1. A board member may, if he wishes, excuse himself from rating any candidate when in the judgment of the board member it would be difficult for him to rate the candidate impartially. If possible, the excused board member shall be replaced by an alternate with the same qualifications.

2. Any challenge as to personal bias or competence of a person serving as an examiner in a qualifications appraisal interview based upon prior knowledge of or acquaintance with a board member shall be made by a candidate to the Director of Recruitment and Examinations or his representative immediately prior to his participation in this phase of the examination. The candidate shall then proceed with his participation in the interview. If such a challenge is sustained by action of the Civil Service Commission, the rating by the challenged person shall not be computed in the final rating of the candidate and the rating of the candidate shall be that of the un-





challenged members of the examining board. If more than one half of the board members are successfully challenged, then the Civil Service Commission shall cancel this session and a new board shall be constituted, unless more than one panel of examiners has been convened for the examination, in which case, the candidate shall be examined by an alternate panel of equal number.

3. Any appeal or challenge of the conduct of qualifications appraisal boards based on a claim of bias, malfeasance, or misfeasance of board members must be made in writing and presented to the Director of Recruitment and Examinations or his representative not later than the second business day following the day on which the qualifications appraisal interview was held. The Civil Service Commission will consider only challenges against board members claiming bias, malfeasance, or misfeasance. Such challenges must state the grounds upon which the challenge is based. Failure to state the specific grounds for the challenge shall nullify the challenge. All challenges properly filed under this section shall be finally resolved by the Civil Service Commission before the identification sheets of those admitted to the oral examination are opened and final computation of the total scores of the participants are known.

4. The Civil Service Commission, in acting on a challenge or appeal on the conduct of the Board shall consider only the applications, records, questions and answers which constitute the record of the qualifications appraisal interview.

5. The decision of the Civil Service Commission on this subject will be final.

6. In the absence of a challenge under this section or upon a decision by the Civil Service Commission under this section later challenges shall be precluded.

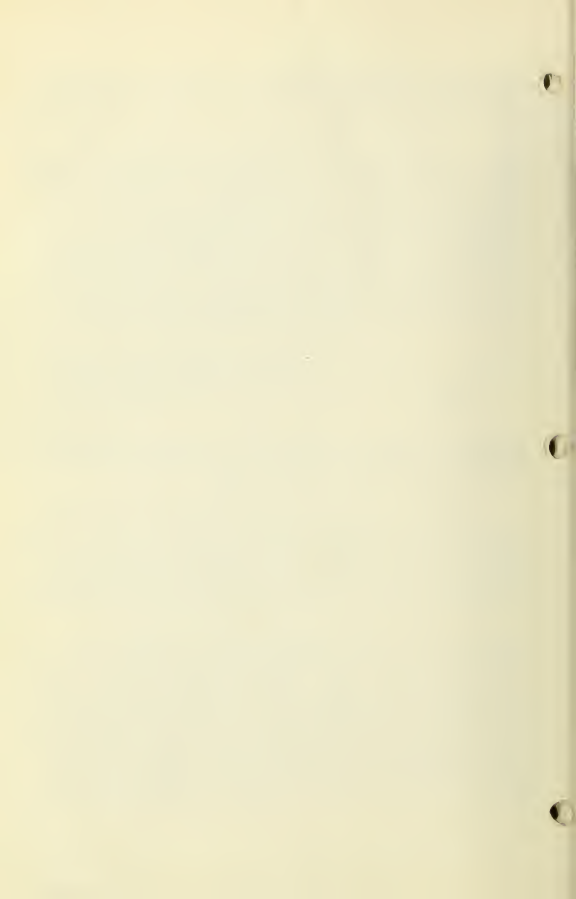
C. False Statements by Applicants in Application or Qualifications Appraisal Interview.

1. Significant false statements, whether intentional or unintentional, made or permitted by any applicant in his application or in his qualifications appraisal interview shall be good cause for the exclusion by the Commission of such person from any examination, the removal of his name from the register of eligibles and may be good cause for his removal or discharge from public service.

D. Inspection of Ratings in Qualifications Appraisal Interviews by Participants.

1. After the qualifications appraisal interviews for an examination are computed, such composite ratings shall be available for a minimum period of two working days following the completion of the computations for all participants or for some other two-day period set by the General Manager, Personnel, provided that the candidates are advised of the dates, during which period each participant may inspect his own ratings, provided that the identity of the examiner giving any mark or grade in an oral test shall not be disclosed. A summary of the reasons for failing qualifications appraisal interviews shall be provided for inspection by the failing candidates.

2. Any challenges shall be filed in writing within the inspection period and shall be limited to (a) claimed inconsistencies or failure of the qualifications appraisal board to apply uniform standards with due regard for qualitative judgments as to education and experience of all participants, (b) any questions propounded by the panel of examiners which occur during a qualifications appraisal interview which require an answer in conflict with any federal, state, or city and county laws, rules, or regulations which apply to the government of the City and County of San Francisco or the official policies of the City and County of San Francisco and/or the San Francisco Civil Service Commission shall be grounds for challenge. Such challenges shall be reviewed by the staff of the Civil Service Commission and a written report made to the Civil Service Commission as to whether the same standards were applied to all participants. The Civil Service Commission shall review the challenges and the report thereon and shall determine the final rating to be assigned the contestant, provided that ratings by a qualifications appraisal board of less than 70% shall not be raised to more than 70%, unless it is determined that misfeasance or malfeasance has caused the rejection of the candidate.



3. No evidence or documents supportive of qualifications shall be presented to the Civil Service Commission which was not presented to the qualifications appraisal board unless the candidate was denied the opportunity to do so.

4. The decision of the Civil Service Commission on this subject will be final.

5. In the absence of a challenge under this section or upon a final decision by the Civil Service Commission under this section later challenges shall be precluded.  
(Rule amended 3-18-68)



### **RULE 13. REGISTERS OF ELIGIBLES**

**Section 1. METHOD OF ENROLLMENT:** Successful candidates shall be enrolled upon the "Register of Eligibles" in the order of their relative excellence.

**Section 2. QUALIFICATIONS OF ELIGIBLES:** Eligibles must continue to possess the qualifications required of applicants by Section 1 and Section 2 of Rule 2, or loss of eligibility may follow, provided, that the name of an employee who has completed his probationary period in a promotive class and is an eligible on another promotive list, shall retain his eligibility on the promotive eligible list if the class from which he was originally promoted was a next lower rank for both lists. (Sec. 2 amended 9-28-70.)

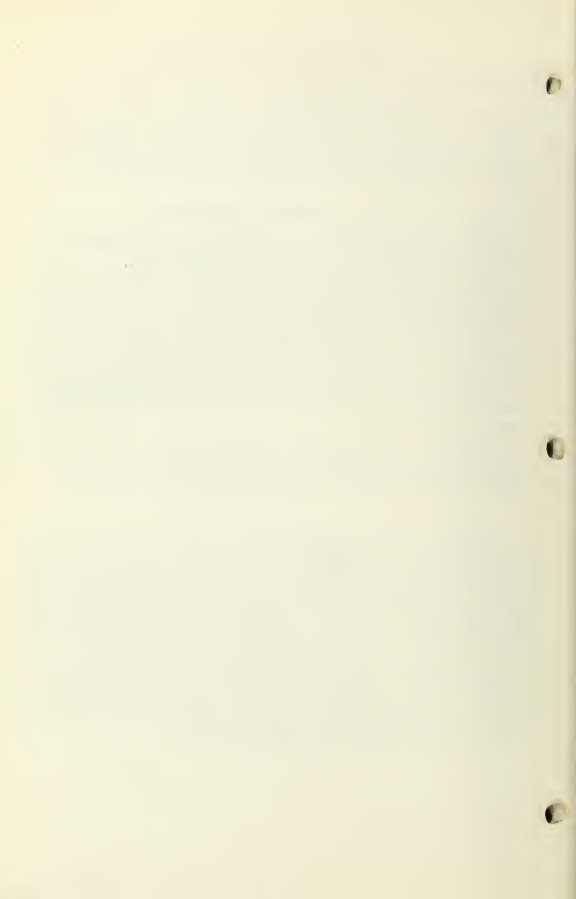
### **RULE 14. DURATION OF ELIGIBLE LISTS**

**Section 1. TWO YEAR LIMIT:** The Civil Service Commission may remove all names from lists of eligibles after they have remained thereon for more than two years from the date of the adoption of the lists that created their eligibility.

**Section 2.** When a list of eligibles becomes exhausted for temporary or permanent employment before the legal expiration of the list, and a new list of eligibles for the same class is created by examination to supply the demands of the service, said new list shall become a part of the list of eligibles to be certified for appointment to the positions covered by said list; provided, however, that subject to the provisions of Rule 21, those holding places on the first list shall be given preference for appointment until such time as said prior list may automatically expire or the names be removed therefrom by action of the Civil Service Commission. When the prior list has expired by reason of limitation of time, or the names thereon have been removed therefrom by order of the Civil Service Commission pursuant to authority vested in said Commission by the charter, then certification shall be made solely from the latter list.

**Section 3. LIMIT INTERMEDIATE TO TWO AND FOUR YEARS:** The General Manager, Personnel, may provide in the scope-circular of any examination that the list of eligibles secured thereby shall automatically expire at a date not less than two, but less than four, years after the adoption of such list. (Section Amended 2-19-59)

**Section 4. DATE OF ADOPTION OF LIST:** An eligible list shall be effective on the date of official adoption of such list by the Civil Service Commission, provided that in the event no protests on ratings have been received during the period of posting of the tentative eligible list, the list shall automatically become official as posted. Unless all names have been removed prior to the four-year period as provided herein, all names shall be automatically removed four years from the official date of adoption (excluding the date of the fourth anniversary) and if the last day of the four-year period falls on a Saturday, Sunday, or legal holiday the automatic removal shall be made on the following business day. Changes of rank, or addition or subtraction of names, made on lists of eligibles because of clerical errors or re-ratings, shall not change the date of the adoption of such lists, nor give to any persons the right to claim beginning date of eligibility other than the date of the adoption of the original eligible list that created their eligibility. (Sec. 145)  
(Sec. 4 amended min. 1-5-61. Ratified 1-12-61.)



## **RULE 15. DEFINITION OF PERMANENT AND TEMPORARY (OR SEASONAL) POSITIONS**

**Section 1. PERMANENT POSITION:** Under the authority of Section 141 of the Charter, for the purposes of the rules of the Civil Service Commission a "permanent position" is hereby defined as:

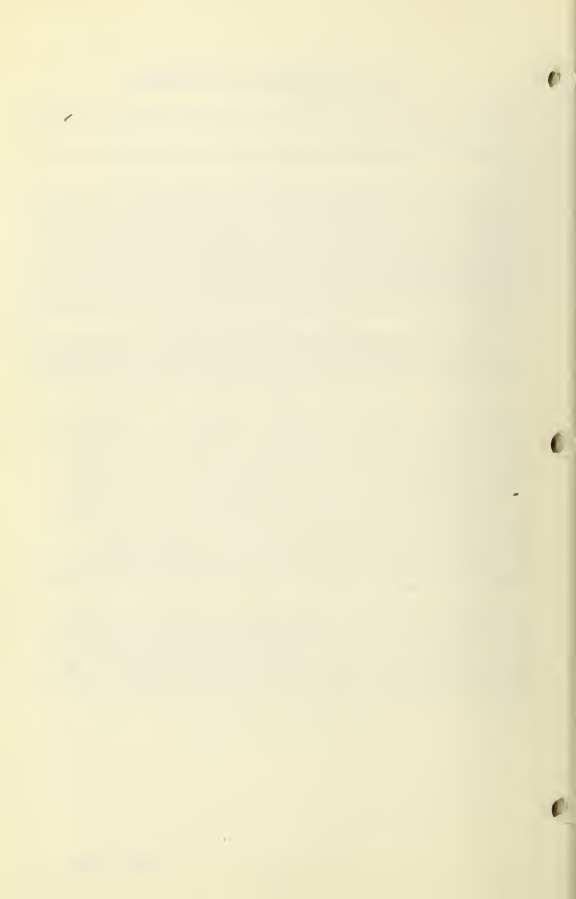
(a) A position that is definitely enumerated in the quantity column of the annual salary ordinance and for which funds have been provided to sustain it for the fiscal year involved; or

(b) Any position whose past history, and future prospects, of its tenure or existence, are such that in the judgment of the Civil Service Commission should cause such position to be treated as a permanent position; provided the filling of such position is authorized by the annual salary ordinance and annual appropriation ordinance, though not definitely enumerated in the quantity column of the annual salary ordinance; and provided further that, unless otherwise ordered by the Civil Service Commission, no position shall be designated a permanent position under this subdivision (b) of Section 1 of this Rule 15, except by resolution adopted by the Civil Service Commission, and then only after such position has been filled by at least two immediately succeeding temporary appointments for the maximum period of five months each and the Civil Service Commission, after investigation, then declares that such position shall be deemed, for the purposes of its rules, a permanent position.

**Section 2. TEMPORARY (OR SEASONAL) POSITION:** Temporary position and seasonal position, for the purposes of the rules of the Civil Service Commission, shall be deemed to have synonymous meanings and shall be treated alike. All positions that do not come within the definition of "permanent position" as described by Section 1 of this rule shall be deemed to be temporary (or seasonal) positions.

**Section 4. TENURE OF APPOINTMENT TO TEMPORARY POSITIONS:** A temporary appointment may be made for a period not to exceed twelve months. If the original requisition for temporary appointment is for a period of less than five months, the temporary appointment may be extended up to, but not to exceed, five months from the date of certification of the temporary appointee. The temporary appointee shall then be laid off and returned to his place on the register of eligibles from which he was appointed. If the original requisition for temporary appointment is for a period of more than five months but less than twelve months, the temporary appointment may be extended up to, but not to exceed, twelve months from the date of certification of the temporary appointee. The temporary appointee shall then be laid off and returned to his place on the register of eligibles from which he was appointed. (Section 4 amended 3-9-61)

**Section 5. PERMANENT AND TEMPORARY (OR SEASONAL) POSITIONS TO BE TREATED SEPARATELY:** Appointments to permanent and temporary (or seasonal) positions shall be treated separately. Appointments to, or service in temporary (or seasonal) positions shall give no right nor preference for appointment to permanent positions. The Civil Service Commission shall be the judge as to whether a position should be filled as a permanent position or as a temporary (or seasonal) position. (Sec. 148)





## RULE 16. POSITIONS NOT FULL TIME - EXEMPT WAIVER

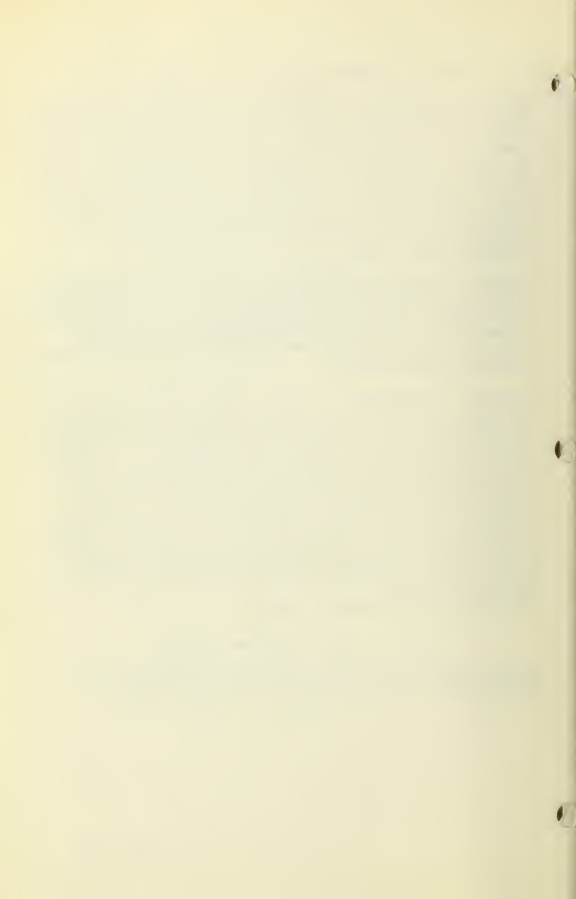
Section 1. DEFINITION: Any position, in any class, which is a part-time position, or an intermittent position, or not a full time position in terms of annual employment, may, with the approval of the General Manager, Personnel, be offered out as a position, not full time - exempt waiver, and eligibles desiring to waive certification for appointment to such position may do so without penalty for consideration for appointment to a regular full time position. An eligible who accepts appointment to such an exempt waiver position shall be entitled to certification for appointment to a regular full time position in the same class should his rank be reached upon the eligible list for appointment to such regular full time position.  
(Section Amended 7-9-59)

Section 2. CHANGE IN WORKING TIME: When the working time of such an exempt waiver position covered by this rule is changed, the appointment made to such position shall, unless otherwise ordered by the Commission, become void and the position so changed shall be offered out to the highest eligible on the list of eligibles for the class involved who is willing to accept such changed position.  
(Section Amended 7-9-59)

Section 3. ADVANCEMENT: An eligible who accepts a civil service appointment to an exempt waiver permanent position, not full time, and serves in such position continuously, for a period of at least two years may, at the request of his appointing officer and with the consent of the Civil Service Commission, be certified for appointment to a regular full time position in the same class and under the same appointing officer, provided that the person to be so advanced must be the senior appointee in the department concerned having such standing in such exempt waiver permanent position and must have a record of satisfactory service in said department. An employee advanced from a position which is "not a full time position in terms of annual employment" will not be required to serve a new probationary period. Employees advanced from positions which are "part time" or "intermittent" shall be required to serve a new probationary period.  
(Section Amended 7-9-59 and 3-3-60)

## RULE 17. EXEMPT PART-TIME POSITIONS

An exempt part-time position is a part-time position as the same is defined in Rule 17A, the compensation of which, including the value of any allowance in addition thereto,



## RULE 17, EXEMPT PART-TIME POSITIONS (cont'd)

is less than \$125.00 per month computed on the basis of time worked in proportion to the full time rate for the classification as the same is fixed in the Salary Standardization Ordinance. (Rule Amended 7-31-1958)

### RULE 17A. PART-TIME POSITIONS

Section 1. Part-time positions are hereby defined as follows: Positions requiring a daily work schedule of less than eight hours on a day shift; or positions requiring less than 7½ hours of work on a schedule commencing after 2:00 P.M. and before 6:00 A.M.

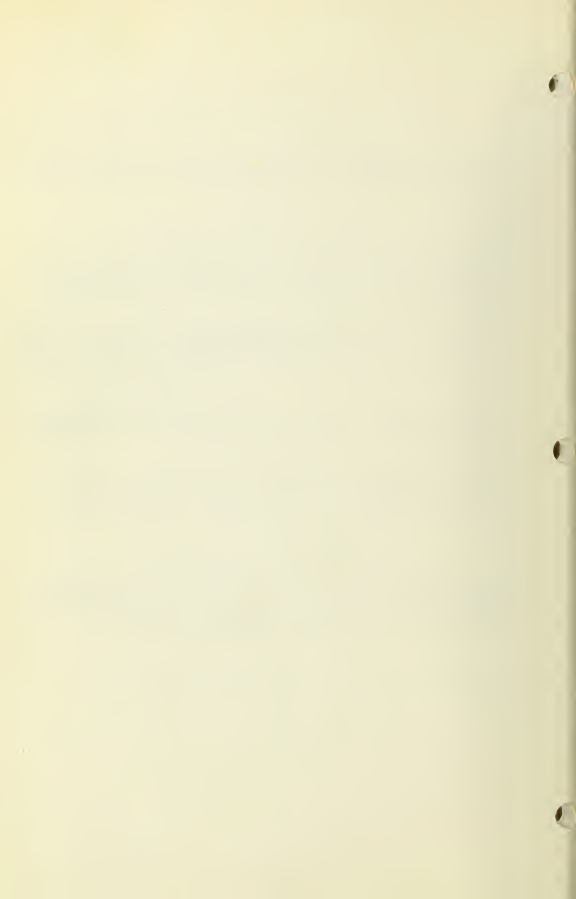
Section 2. Provided, that the provisions of section one shall not apply to positions in classifications specifically permitted by the Salary Standardization Ordinance to work a normal 40-hour week within six days.

Section 3. Provided further, that physicians employed in their professional capacity on a call basis or on a regular consultant basis shall not be deemed employed on a part-time basis within the contemplation of this rule.

Section 4. Part-time positions shall be recorded as such by a department head, only with the prior approval of the Civil Service Commission, and, when so recorded, shall be noted as part-time on payrolls, budget estimates, salary ordinances, and related documents.

### RULE 17B. INTERMITTENT POSITIONS

With the exception of private duty nursing assignments intermittent positions are hereby defined as those positions requiring less than five days of work per week, each of such days, however, to be a full 8 hours on a day schedule, or 7½ hours on a night schedule. (AMENDED 6-4-54)



## RULE 18. CREATION OF, OR CHANGE IN, POSITIONS.

Section 1. CREATION OF: Positions in any department or office of the city and county may be created, as provided by the charter, by appropriation ordinance of our Board of Supervisors. Copy of each such ordinance creating or abolishing positions shall be filed, on the approval thereof, with the Civil Service Commission by the Clerk of the Board of Supervisors. Before the appointing officer shall make recommendation for the creation of any new or additional position in any department or office, he shall request and receive from the Civil Service Commission the proper designation and classification of such position based on the duties and responsibilities thereof, and if such position is included in the classified civil service, the Commission may, in writing, express to the appointing officer and the Board of Supervisor its opinion as to whether or not such position is needed.

Section 2. CHANGE IN: Immediate notice in writing shall be given to the Civil Service Commission by the appointing officer of each department and office of the city and county of the creation or abolition of any position, or of any change in duties if the position is included in the classified civil service, or of any appointment, resignation, suspension, dismissal or other creation of vacancy therein, or change in assignment from one bureau to another, with the date of any such change. If said appointing officer is also empowered to establish compensation rates or make changes therein, he shall immediately notify the Commission of any such rate or change therein. The Commission shall maintain a record of all such notifications. (Sec. 143.)

## RULE 19. REQUISITIONS.

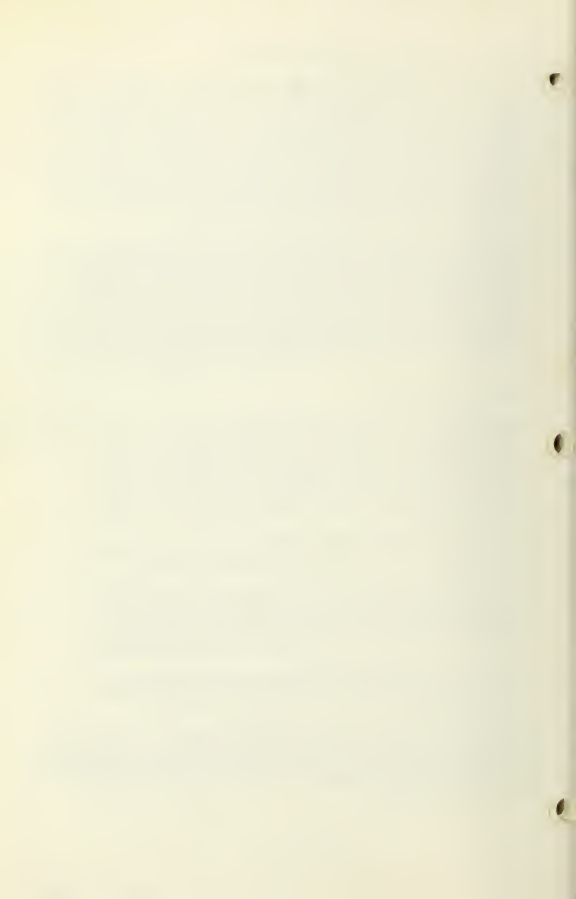
Requisitions for the certification of eligibles shall be made upon forms provided by the Civil Service Commission and shall bear all required information and approvals before being filled by the Civil Service Commission. Upon receipt of approved requisitions they shall immediately be time stamped, in the order of their receipt. Positions shall be offered to eligibles as provided in Rule 20 in accordance with the priority of receipt of the requisition in the office of the Commission, or in accordance with the date to report for duty if such date to report is later than the date of receipt, except as follows:

If at the time an eligible list is adopted, two or more approved requisitions from two or more departments are on file in the office of the Commission, the General Manager, Personnel, is hereby authorized;

(1) in cases where eligibles on the list who would be reached for appointment on such requisitions are at that time employed in the city and county service, to consult with appointing officers and employees involved, and if it is in the best interests of the service to offer out said positions so as to make it possible for the continued employment of such eligibles in their own departments; or

(2) in his discretion to permit eligibles in line for appointment, and in accordance with their standing on the list, to select from among the available requisitions, the positions to which they desire appointment.

A separate requisition shall be made for each permanent position to be filled. Group requisitions may be made only for temporary (or seasonal) positions. Requisitions must be signed by the appointing officer. Upon presentation of satisfactory reason therefor by the appointing officer who issued the requisition, cancellation of the requisition may be allowed by the Civil Service Commission or the General Manager, Personnel. (Paragraph 5 amended 2-3-69)



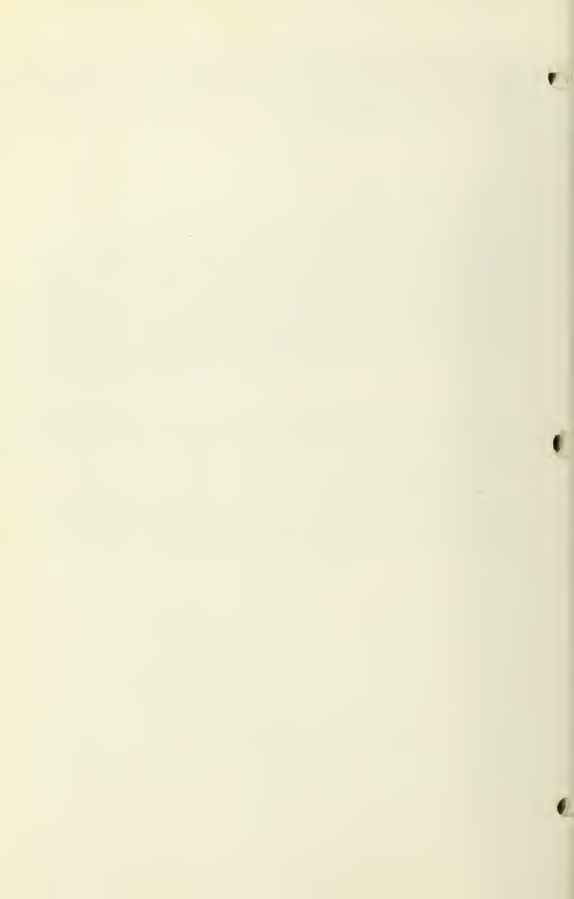
(3) A requisition to fill a permanent vacancy in a classification for which regular civil service eligible lists are exhausted and which is filled from a list for the next lower directly related class in accordance with the flexible staffing authority of the Salary Ordinance, shall be also valid for subsequent certification for appointment of the same eligible when qualified to the classification as designated on the requisition. (Section 3 - Rule 19 - amended 5-18-67)

#### RULE 20. CERTIFICATIONS.

Section 1. ONLY ONE NAME TO BE CERTIFIED: In filling requisitions filed in accordance with the provisions of Rule 19, only one name shall be certified for each position to be filled. The position shall first be offered to the eligible having highest standing on the eligible list who is available for the type of appointment offered. If the highest eligible waives the appointment, then the next available eligible in line as provided in Rule 19 shall be offered the position, provided that such eligible has not already been offered appointment from the list. In the case of a temporary requisition where such requisition is authority for subsequent certifications following separation of an appointee, the highest available eligible as of the date the document is received from the appointing officer requesting that certification be made, shall be certified. (Section amended 3/11/55, 1/15/59, and 3/19/64)

Section 2. APPOINTING OFFICER'S REQUEST FOR APPOINTMENT OF AN ELIGIBLE OF PARTICULAR SEX: In all cases where an appointing officer considers that a vacancy in a civil service position should be filled by an eligible of a particular sex, he shall so advise the Civil Service Commission at the time of his request, specifying in detail the factual basis for his request.

After consideration of the matter, the Civil Service Commission may refer the matter back to the appointing officer with its comments for his further consideration. Should the appointing officer, after further consideration, again request that such civil service position be filled by an eligible of a particular sex, such determination will be final except so far as anyone may seek review in the courts. (Section amended 7/2/59).





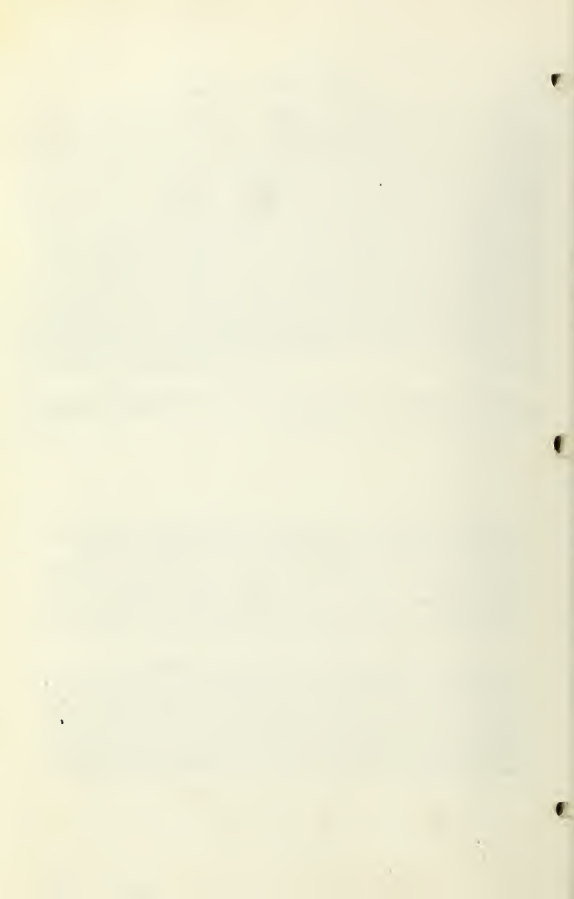
## RULE 21. WAIVER OF CERTIFICATION

Section 1. MUST BE IN WRITING: All waivers of certification other than automatic waivers because of failure to respond (Rule 23) must be in writing and must state whether the position waived is temporary (or seasonal) or permanent. Waiver of certification for appointment to a permanent position shall include waiver of certification for appointment to a temporary (or seasonal) position unless otherwise stated by the person waiving; but waiver of certification for appointment to a temporary (or seasonal) position shall not adversely affect or interfere with the right of the person waiving, for appointment to a permanent position. Waiver of certification shall be effective upon filing notice thereof as herein provided. Only one waiver of permanent appointment to a regular position will be granted on entrance and/or promotive lists and withdrawal of such waiver will be in accordance with the provisions of Rule 22, provided that in the case of an eligible on a list for which the official examination announcement provided for recruitment on a continuous basis, waiver of permanent appointment to a regular or flexible staffing position will cause the automatic removal of the name of such person from the eligible list. Failure of an eligible on an entrance and/or a promotive list to accept an offer of permanent appointment to a regular position after having withdrawn a waiver of appointment will cause the removal of the name of such person from the eligible list. When an eligible has standing on more than one eligible list in the same classification, a waiver of appointment from one list shall also apply to any other existing list in the same classification on which the individual holds eligibility. The removal of the name of an eligible from a list for failure to accept the second offer of appointment shall cause the removal of such person's name from all other existing lists in the same classification.

Section 1a. Eligibles on current promotive lists who have already waived one or more permanent appointments shall have one more opportunity to waive a permanent appointment subsequent to the adoption of this amendment.

Section 2. DEPARTMENTAL WAIVER: Upon written notification by the examining division of his eligibility on an entrance and/or promotive list, an eligible may permanently waive appointment to a certain department or departments and such waiver shall be known as a "departmental waiver" and shall remain in force until the person who so waives has passed another examination for the class of employment waived, provided that no person shall be permitted to enter a departmental waiver against a department from which he has relinquished permanent employment. Departmental waivers must be filed in writing by the eligible in the certification office of the commission before the adoption date of the respective list. Except as herein provided and upon the effective date of this amendment (2-26-68), departmental waivers will not be granted. (Amended 10-14-68)

Section 2a. DEPARTMENTAL WAIVER FOR ELIGIBLES ON LISTS ADOPTED PRIOR TO EFFECTIVE DATE OF THIS AMENDMENT (2-26-68): Except for eligible who have already in two instances filed departmental waivers, eligible on lists adopted prior to the effective date of this amendment will be allowed only one opportunity to file a departmental waiver which may include all departments to which the eligible will not accept an appointment. No departmental waivers will be accepted thereafter. Any appointee from a list adopted prior to February 26, 1968 who, under the provisions of Rule 27, relinquishes a position after the eligible list from which he has been appointed expires and whose name is returned to a list adopted after February 26, 1968 shall, for purposes of departmental waivers, be governed by Section 2a above. (Amended 10-14-68)

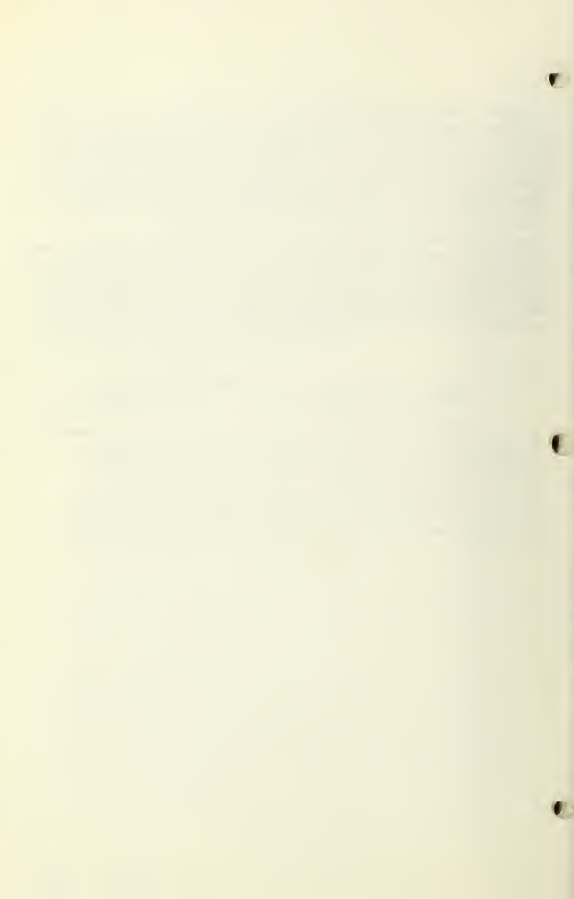


Section 3. REGULAR POSITION, EXEMPT WAIVER: Any regular full-time position to which are attached unusual duties not normally to be expected to be performed by an eligible certified to such a position, or unusual working conditions, such as location of the position or unusual hours of work, may be declared by the General Manager, Personnel, to be a "Regular Position, Exempt Waiver." Certification to such "Regular Position, Exempt Waiver" may be waived by eligibles without prejudice for consideration for certification to other regular positions. When a position which has been declared by the General Manager, Personnel, to be a "Regular Position, Exempt Waiver" becomes vacant, such position shall be treated as a regular position unless the General Manager, Personnel, again declares that the position is a "Regular Position, Exempt Waiver."

Section 4. EXEMPT WAIVERS: When an appointing officer indicates on a requisition that the duties of the position to be filled require specialized knowledge and training in subjects or fields recognized by the Commission as being branches of civil, mechanical or electrical engineering, and such specialties are noted on the scope-circular announcing the examination from which the eligible acquired his status as an eligible, appointment under such requisition may be waived, without penalty, by those eligibles who did not possess the required specialized knowledge and training and did not record such special knowledge and training on their application for said examination. (Amended 2-26-68)

Section 5. AUTOMATIC WAIVER WHEN NOT QUALIFIED FOR APPOINTMENT TO POSITIONS FUNDED UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971, OR OTHER SPECIAL FEDERAL OR STATE PROGRAM.

Eligibles on existing lists who do not meet the requirements established by the United States Government for appointment to positions funded under the Emergency Employment Act of 1971, or other special federal or state program where in order to qualify for funds appointees must meet and maintain qualifications established by the funding agency, shall be deemed to be automatically under waiver for appointment to such positions. Such automatic waiver shall not otherwise affect the eligibility status of the eligible. An eligible appointed to such federally funded position shall not be assigned to a regularly budgeted position for a period of at least two years unless his standing on the eligible list would qualify him for appointment to a regularly budgeted position. (Amended Min. 8-23-71 and 11-8-71.)



## RULE 22. WITHDRAWAL OF WAIVER

Section 1. Withdrawal of waiver of temporary employment and withdrawal of waiver of permanent employment must be requested separately.

Eligibles desiring to withdraw waivers may do so by filing in writing in the certification office of the Commission on the proper civil service form a request to have such waiver withdrawn and by giving assurance in writing that he will accept employment when again reached for appointment. As provided in Rule 21, Section 1, in the case of eligibles on a list established through an entrance and/or a promotive examination other than an examination announced on a continuing basis, only one withdrawal of waiver of permanent appointment to a regular position will be granted.

Misrepresentation regarding withdrawal of waiver shall be considered good cause for removal of the eligible's name from the register of eligibles.

Section 2. EFFECTIVE DATE: If there are other eligibles available for appointment from a list, the withdrawal of waiver of temporary and/or permanent employment on entrance and/or promotive lists shall be effective on the date filed. Certification shall be made against any requisition received on or after the date such withdrawal of waiver has been filed.

Section 2a. If the list of eligibles on which the name of the eligible appears is exhausted, the withdrawal of waiver shall be effective immediately and, under the provisions of Rule 19, positions shall be offered to eligibles in accordance with the priority of receipt of the requisitions in the office of the Commission, or in accordance with the date to report for duty if such date to report is later than the date of receipt.

Section 2b. When the withdrawal of waiver requires the approval of the General Manager, Personnel, the effective date of such withdrawal of waiver shall be the date approved.

Section 3. It is further provided that when an entrance and/or promotive list of eligibles is exhausted and permanent vacancies exist, the General Manager, Personnel may, in his discretion, require the immediate withdrawal of a permanent waiver. Failure to withdraw this waiver and to accept subsequent offer of permanent appointment will cause the removal of the name of such person from the eligible list.

Section 4. The Commission or the General Manager, Personnel, may grant an immediate withdrawal of waiver to an eligible who is under waiver for failure to respond if the eligible desired to accept appointment when offered and presents satisfactory evidence that failure to respond was not due to his own negligence and was due to causes beyond his control, but such immediate withdrawal of waiver shall not interfere with nor affect the rights of eligibles next in line for appointment to whom notices of appointment have already been mailed and who have or may be appointed in response to such notices.

Section 5. When, in response to an inquiry regarding employment, an eligible has signified his willingness to accept a permanent position if his name is reached, and subsequently refuses the appointment when the employment is offered to him on a regular notice of appointment, the waiver then placed against the name of such eligible may be removed only with the special consent of the Civil Service Commission upon recommendation of the General Manager, Personnel. (Amended 2-26-68)



## RULE 23. FAILURE TO RESPOND

Section 1. RESPONSE PERIOD: Except as otherwise provided in this rule and Section 1 of Rule 21, failure of an eligible to respond within three (3) business days to a notice of inquiry or notice of probable appointment relating to a permanent position, shall automatically place such eligible under waiver of appointment for such type of permanent and temporary employment. Failure to respond within three (3) business days to a notice of inquiry or notice of probable appointment relating to a temporary position shall automatically place such eligible under waiver of appointment for such type of temporary employment. Withdrawal of waivers may be allowed by the Civil Service Commission under the provisions of Rule 22 - Withdrawal of Waiver.

For the purposes of this rule the term "respond within three business days" means that the response, either by letter, telephone, messenger or in person must be received in the offices of the Civil Service Commission during regular business hours within three days (Saturdays, Sundays, and legal holidays excepted) after the date of mailing of the notice of inquiry or notice of probable appointment.

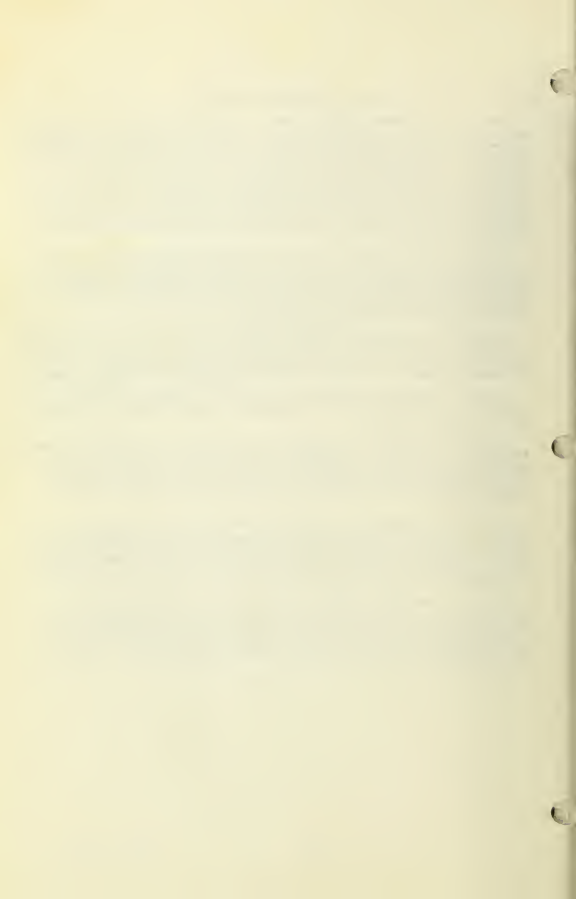
Section 2. EXTENSION OF RESPONSE PERIOD: In the case of a notice sent to an eligible who is not a resident of San Francisco or as other circumstances may warrant, the General Manager, Personnel, may extend the time in which to respond to include a reasonable time for the receipt of mail.

Section 3. METHOD OF RESPONSE: Response to a "Notice of Inquiry" may be made by personal appearance, telephone, messenger or by mail within the time limits provided.

Response to a "Notice of Probable Appointment" may be made by personal appearance, messenger or by telephone, provided that in the case of a messenger or telephoned response to a "Notice of Probable Appointment" within the time limits provided, the eligible must respond by personal appearance during the next business day or be placed under waiver as indicated herein.

Section 4. "HOLDOVER": A "Holdover" who fails to report for duty within three business days (Sundays and legal holidays excepted) when notified to do so by the Civil Service Commission, will be subject to the penalty provided in Rule 33 - "Absence from Duty Without Leave", provided that a holdover may waive his right to return to duty under a temporary appointment in accordance with the provisions of Section 5 of Rule 26.

Section 5. CHANGE OF ADDRESS: In all cases of change of address, the Civil Service Commission must be notified in writing separately and directly, for each class involved. Notice of change of address to the U. S. Post Office and/or the employee's current department only will not be deemed a reasonable excuse for special consideration in case of tardiness of reply.





## RULE 24. APPOINTMENTS

Section 1. PERMANENT AND TEMPORARY (OR SEASONAL) POSITIONS: Appointments to permanent positions and temporary (or seasonal) positions shall be made in accordance with the provisions of Rules 15, 18, and 19 and such other rules herein as may apply.

Section 2. REPORT FROM APPOINTING POWER: Appointments made from certification shall be reported on forms provided by the Civil Service Commission. SUCH REPORTS MUST BE MADE WITHIN THREE DAYS after the persons certified have reported for duty, must be signed by the appointing officer and must contain the right-hand thumb prints and signatures of the persons who were put to work.

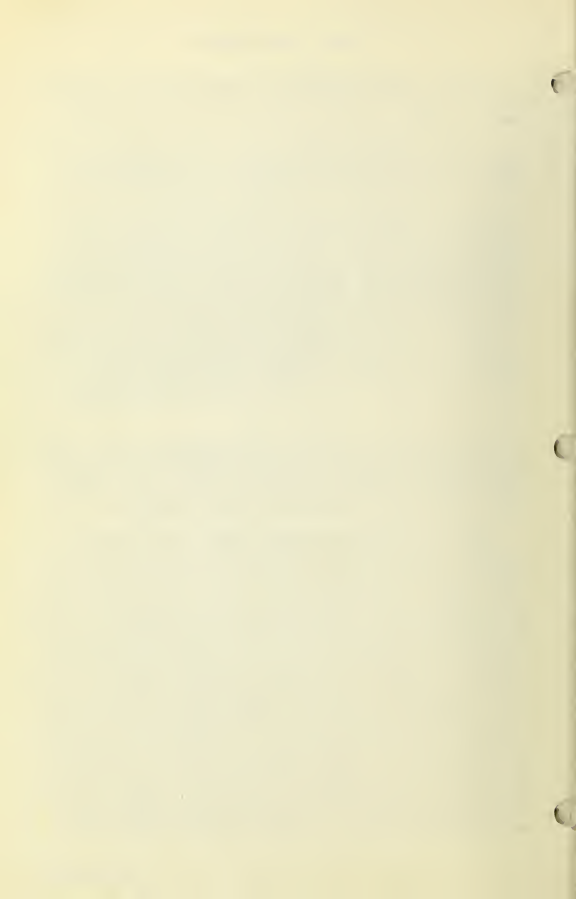
Section 3. An appointee occupying a position under permanent appointment in one class, who accepts probationary appointment to a permanent position from a list of eligibles for a different class, shall be permanently separated from the first named position; provided that prior to the completion of the probationary period in the second position, or within one week of termination thereof, such appointee may upon his written request, and with the approval of the Civil Service Commission or General Manager, Personnel, thereof, be reinstated to a vacancy in said first named class and department; and provided further that an employee who has completed his probationary appointment in the second position, may, with the approval of the appointing officers concerned, be reinstated in a vacancy in the first class upon order of the Civil Service Commission, if in the judgment of the Civil Service Commission such reinstatement would be in the interest of the service. Upon such reinstatement he shall resume his former seniority standing in said first named position. (Section Amended 4-2-54, 1-18-56 and 1-30-58.) (Section 3 Amended 10/26/61.)

(SECTION AMENDED 4-2-54, 1-18-56 AND 1-30-58)

Section 3.1: An appointee occupying a position under permanent appointment in one class who accepts appointment from the lists of eligibles established on February 5, 1947 for Class H-2 Fireman, Fire Department, Class H-202 Fireman, Salvage Corps, or Class Q-2 Policeman, shall at his request be reinstated to his position in said first named class should the appointments to Fireman or Policeman be voided because of court action now pending challenging the legality of the examinations from which these lists were established. Such reinstatement shall be with original date of seniority for all purposes.

Section 4. APPOINTMENTS TO PREVENT STOPPAGE OF ESSENTIAL PUBLIC BUSINESS PENDING RECEIPT OF APPROVED REQUISITIONS: Certification of eligibles for appointment will not be made by the Commission until a requisition therefor, properly approved as provided by the salary ordinance and Rule 19, has been received by the Civil Service Commission. When in the judgment of the appointing officer immediate service in the position is required in order to prevent stoppage of essential public business, the Commission or the Personnel Director and Secretary may authorize the appointing officer to make a non-civil service appointment pending receipt of an approved requisition. When a non-civil service appointment is authorized as provided in this section, the appointing officer shall identify the appointee and the authority therefor by posting on the time-roll opposite the name of such appointee, the serial number issued by the Civil Service Commission indicating the authorization for such non-civil service appointment. A record of all authorizations under the provisions of this section shall be maintained in the offices of the Civil Service Commission. Authority for such non-civil service appointment pending receipt of the approved requisition shall cease upon notice of disapproval of the requisition by the Mayor, or notice of refusal by the Controller to certify funds, but in no case shall such appointment extend beyond five (5) working days, provided that in unusual cases which in the judgment of the Civil Service Commission or the Personnel Director and Secretary warrant such action, the authorization may be extended for a further specified period. All authorizations to make non-civil service appointments pending receipt of approved requisitions and extension of

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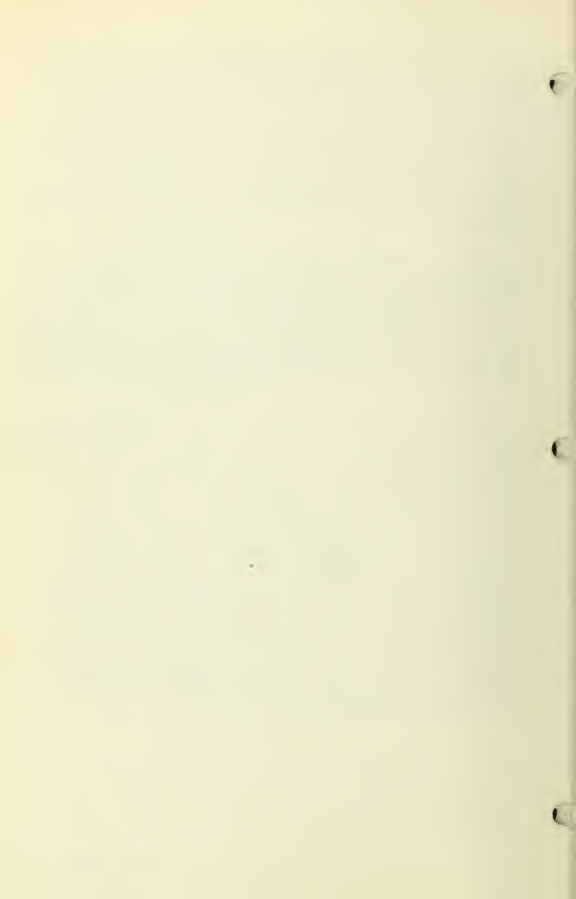


such authorizations as provided in this section and which are issued by the Personnel Director and Secretary shall be subject to review and confirmation by the Civil Service Commission at the next meeting of the Commission. Compensation for such persons serving under non-civil service appointments pending receipt of approved requisitions shall be approved only as provided herein. It is the responsibility of the requisitioning authority to see that requisitions with the required approvals are promptly filed with the Commission. The Commission by resolution may grant blanket authority to appointing officers to make such non-civil service appointments as needed in designated classifications pending receipt of approved requisitions or pending filling of approved requisitions when in the judgment of the appointing officer and the Civil Service Commission inability to obtain immediate service in positions in such designated classifications would create an emergency. (AMENDED 1-16-53; CHARTER SECTION 149 RATIFIED 1-9-53)

**Section 5. APPOINTMENTS PENDING FILLING OF APPROVED REQUISITIONS:** Upon receipt of an approved requisition filed in accordance with Rule 19, the name of the person standing highest on the existing list of eligibles for such appointment who is willing to accept such appointment shall be certified to the appointing officer as provided in Rule 20. If an eligible list exists for the position requisitioned, but in the judgment of the appointing officer immediate service in the position is necessary the Commission or the Personnel Director and Secretary may authorize a non-civil service appointment thereto to serve until the civil service eligible reports for duty but not to exceed thirty (30) working days. Such thirty (30) working days shall include any time which may have been authorized in accordance with the provisions of Section Four (4) of this Rule.

Upon receipt of an approved requisition filed in accordance with Rule 19, and in the event no list of civil service eligibles exists for such appointment, or no eligible is available and immediate service is required by the appointing officer the Commission or the Personnel Director and Secretary shall certify an eligible from another list if such other list is deemed suitable to temporarily provide the service desired. If no such other list is deemed suitable, the Commission or the Personnel Director and Secretary may authorize the appointing officer to make a non-civil service appointment, and if authorized shall be recorded and reported as provided in Section 4 hereof. Such appointment may continue until a civil service appointee eligible for such appointment is available for appointment, but no person shall be compensated under any non-civil service appointment or appointments as authorized under the provisions of this rule for a period exceeding ninety (90) working days in any fiscal or calendar year. Appointing officers shall assure themselves that persons serving under such non-civil service appointments are not so employed in excess of the ninety (90) working days in any fiscal or calendar year under any such non-civil service appointments in the city and county service. Authorizations to employ non-civil service personnel as provided in this section which are issued by the Personnel Director and Secretary shall be subject to review and confirmation by the Civil Service Commission at the next meeting of the Commission. Compensation for persons serving under non-civil service appointments pending filling of approved requisitions shall be approved only as provided herein. (AMENDED 1-16-53; CHARTER SECTION 149 RATIFIED 1-9-53)

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Section 6. RESIDENCE OF APPLICANTS, ELIGIBLES AND APPOINTEES: Applicants, eligibles and appointees shall possess the residential qualifications as prescribed by Charter and Ordinance 166-58 of the Board of Supervisors.

Section 7. CHANGE OF ASSIGNMENT OF DUTIES: No person shall hold a position outside of the classification to which he has been appointed, provided that every employee of any department or office shall discharge any of the duties pertaining to such department or office to which his chief may temporarily assign him.

"Temporary assignment" means an assignment to duties not normally included in the classification to which the employee is regularly appointed without change in classification or pay of the employee so assigned, as distinguished from "temporary appointment", which for the purposes of this section refers to an appointment to a differently classified position in accordance with civil service, budgetary, and fiscal provisions.

A temporary assignment shall be defined as any assignment that does not continue beyond thirty calendar days except as otherwise provided herein.

A temporary assignment shall not be made when unfilled permanent positions in a classification which includes duties of the temporary assignment, exist in the department, or employees in such classification are absent on leave without pay status, except to provide service for the time required to process and obtain approvals for a requisition for a temporary appointee for such position.

When it is known that temporary services are required for a period in excess of thirty calendar days, then a temporary appointment shall be made.

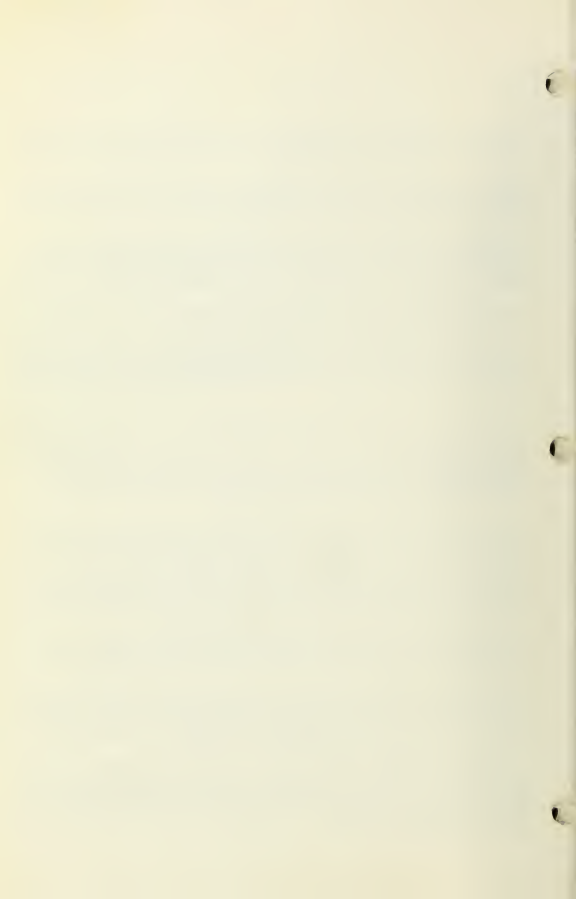
When a temporary assignment is made and a thirty calendar day period from the beginning date of assignment to the position has elapsed, and it is then determined that further temporary service in such position is required, then temporary assignment of another employee to such position will not be authorized and, except as otherwise provided herein, the temporary assignment shall be void and a temporary appointment shall be made for the remaining duration of the required service.

When temporary service in excess of thirty calendar days is required to prevent the stoppage of essential public business, and funds are not available to effect a temporary appointment, then, with the approval of the General Manager, Personnel, and the Mayor, a temporary assignment may be continued, provided that the appointing officer shall immediately request approval of funds for a temporary appointment. Upon the availability of such funds, the temporary assignment shall be cancelled and a temporary appointment shall be made. If such funds are not approved, then the temporary assignment shall be cancelled. The continuation of such temporary assignment, in accordance with this paragraph, shall be subject to review by the Civil Service Commission.

The Civil Service Commission will investigate requests for temporary relief replacements which are regularly required for extended periods in order to determine whether existing positions should be reallocated to provide for the regular appointment of personnel for such purpose.

Temporary assignments, the reason therefor and the period thereof, shall be immediately reported to the Civil Service Commission and to the Mayor for approval and recordation, provided that records of temporary assignments of less than 30 calendar days duration need not be so reported but shall be maintained in the department in such form as to be available for review or audit by the Civil Service Commission.

The regular assignment for a minor portion of the work day of duties which are enumerated in a different classification, but which are generally related to the regular duties of the employee will be approved when assignment of such duties is in the interest of the service. Any assignment of such duties shall be reported immediately to the Civil Service Commission for approval, and such report shall contain the nature of such duties and the reason for assignment of the duties.

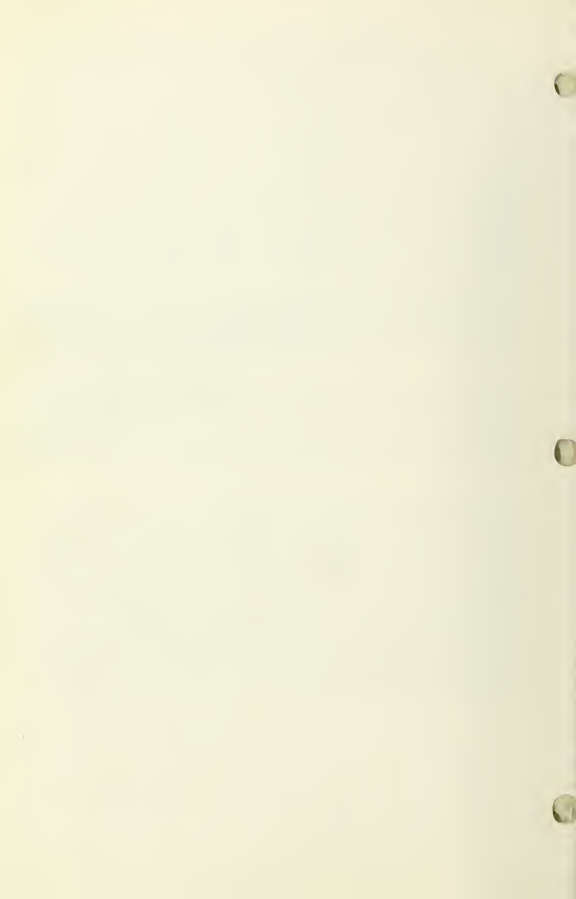


Section 8. APPOINTMENTS TO TEMPORARY CIVIL SERVICE POSITIONS: In order to make possible the prompt filling of temporary positions by the Civil Service Commission, and for the purpose of conserving the time of the appointing officers in the matter of instructing employees in temporary positions, eligibles accepting appointment to temporary positions, regardless of the working hours attached thereto, must do so with the understanding that, while the temporary appointment accepted lasts, they will be deemed to be automatically under waiver of temporary appointment in all other classes of employment in which they have eligibility; provided that an eligible accepting temporary appointment to a part-time position may be offered temporary appointment to a full time position in the same or in another classification and provided further that with the approval of the General Manager, Personnel, an eligible accepting temporary appointment in one class may be offered temporary appointment from a list for another classification if such second classification offers a higher salary.

Relinquishment of a temporary appointment of any kind, in any class, shall cause the appointee involved to be immediately and automatically placed under waiver of temporary appointment in all classes of employment and such waivers may be withdrawn only in accordance with the rule on withdrawal of waiver. (Rule 22)

An employee under permanent appointment in one class shall not be considered for temporary appointment from a list of eligibles to an entrance position in another class unless such temporary appointment is approved by the Personnel Director and Secretary as being in the best interest of the service and then only if such temporary appointment is in the same department in which the eligible holds permanent appointment.

An employee under permanent appointment shall not be certified for temporary appointment in another department from a list of eligibles established by promotive examination, unless the appointing officer of the department in which the employee holds permanent appointment approves a leave of absence for the employee; provided that denial by the appointing officer of a request for such leave of absence for 30 days or more may be appealed to the General Manager, Personnel. Such appeal in order to be considered must be filed in the office of the Civil Service Commission within 5 days after the date of the notice of probable appointment. Further notice of probable appointment concerning such vacancy shall not be processed pending action of the General Manager, Personnel, upon an appeal properly filed within the time limits. The General Manager, Personnel, shall review the matter, including the reasons of the appointing officer for denying the request for leave of absence, and thereafter shall make a decision based upon whether the granting of such leave would cause an emergency, as defined in Section 16 of the Charter, to occur in the employee's permanent department.





## RULE 24A. STATUS RESOLUTION

Section 1. Status in the City and County service is the right or rights which an employee has to perform certain duties. These rights stem from the examination in which he qualified and/or the appointment he received, and the duties he performed as indicated on official records. The class specification or duties statement in existence at the time of the examination and/or appointment is a basic reference document in determining status rights in a class. An employee has rights to a position in a class, but not to a particular position within such class. The appointing authority has very broad discretion in reassigning an employee from one position to another position in the same class. In cases where status is involved, the Civil Service Commission shall be responsible for the determinations of status rights of employees and eligibles, and it shall by action indicate its determination in accordance with the provisions of this rule.

Section 2. When the reallocation of a position or positions from a former class to a new class represents only the renumbering and/or retitling of the position or positions of the former class, and the class description and/or class specification has been changed to describe more accurately the duties actually being performed, all permanent employees in the former class are continued in the new class. Eligibles on lists in the former class are deemed to have rights to certification for appointment to positions in the new class.

Section 3. Status in the following situations will be administered as provided by this section:

- (a) When the duties of a former class have been split off into 2 or more new classes; or
- (b) When the duties of 2 or more former classes have been consolidated into one new class; or
- (c) When the duties being performed are allocated to a new class for which there is no former civil service class, but the duties, although not specifically described in a former class, have been deemed by classification actions of the Civil Service Commission made prior to the effective date of this rule to be a part of the duties of the former class; or
- (d) When status to a new class from a former class is not indicated under provision of Section 2 and Section 3 (a), (b), or (c) above, and there is no significant difference in the kind and level of difficulty of work of the two classes.

In each of the above situations, the following shall apply:

- 1. All permanent employees in positions in the former class which have been reallocated to a new class are granted status in positions in the new class as of the effective date of the amendment to the annual salary ordinance establishing such positions in the new class.
- 2. The remaining employees in the same former class in the same department are granted rights to assignment to positions in the new classes as vacancies occur according to seniority standing in the department.
- 3. Permanent employees occupying positions in the same former class in other departments are granted the right to transfer to positions in the new class or classes as vacancies occur. Such request for transfer shall be governed by the provisions of the transfer rule (Rule 34-Transfers).



4. Eligibles on regular civil service lists for the former classes are deemed to have rights to certification for appointment to positions in the new classes after incumbents in various departments have exercised their status rights.

5. In administering Section 3 (d) above, if the difference between the salary ranges of the former class and the new class is more than five per cent, a significant difference in kind and level of difficulty of the work shall be deemed to exist. The five per cent salary factor shall be measured from the first class from which status was granted, and the employee to whom status has been granted shall have no further status rights under the provisions of Section 3 (d).

Section 4. When an employee has been found to be performing the duties of a position allocated to a class two levels higher than the employee's former class, and status has been granted to occupants of positions of the former class in a class one level higher, such positions shall be reallocated to the class one level higher and the employee shall be granted status in the position so reallocated as of the effective date of the amendment to the annual salary ordinance establishing such position; provided, however, that such positions will be flagged for reallocation to the higher level and incumbents in such positions will be required to attain eligibility on civil service lists for the higher class within a period of four years. If an employee in such instances is not reached for appointment to the higher class in the aforementioned period of time, the employee shall be reassigned to another position in the class to which he has attained status when this can be done without adversely affecting the rights of the person so reassigned, as defined in Section 1 of this rule.

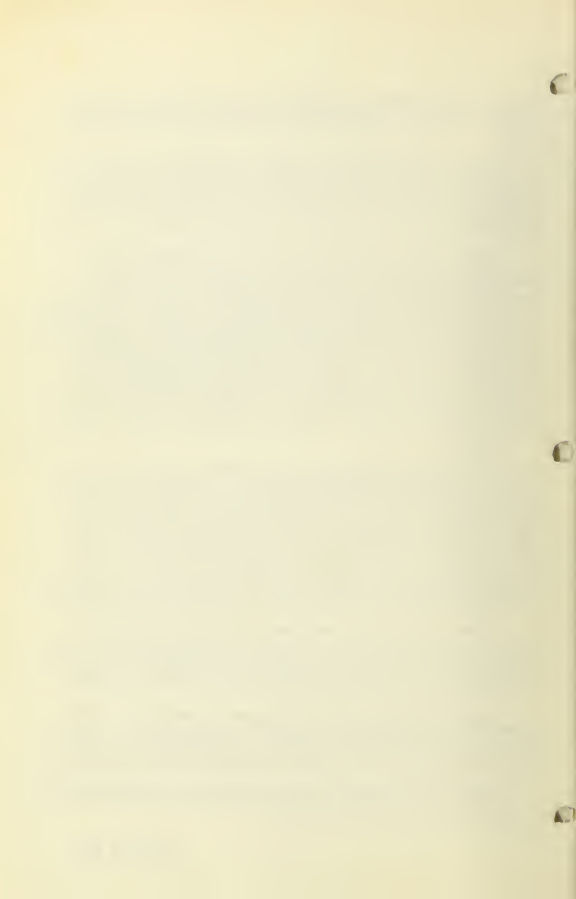
#### Section 5.

(a) When a permanent employee has been performing duties not included in any class in the former classification plan, and such duties have been reallocated to a class in the new classification plan, and the employee was performing such duties at the time of the general classification survey started in 1959 and still is performing such duties on the date of the adoption of this rule, August 16, 1962; or the employee, although not performing such duties at the time of the general classification survey, has performed such duties for the period of time set forth under minimum qualifications in the class specification in effect July 1, 1962, and still is performing such duties on the date of the adoption of this rule, August 16, 1962, such employees shall be granted status to positions in the new class as of the effective date of the amendment to the annual salary ordinance establishing such positions. (Amended 12/12/63)

(b) When it can be clearly established by official records in existence prior to the general classification survey started in 1959 that permanent employees who are not now performing such duties have performed them for a period of time set forth under Minimum Qualifications in the class specification in effect on July 1, 1962, such employees shall be granted rights to appointment to positions in the new class as vacancies occur.

Before granting status or status rights under the provisions of Sections 5a and 5b above, the Civil Service Commission shall determine that the employee generally has the qualifications and training to perform the duties of the position in the new class. Grants of status under the provisions of this section shall be applicable only to the general classification survey recently concluded.

Section 6. When a position is to be reallocated from one class to another class, and there were counterparts of both of these classes in the former classification plan, status shall not be granted.



Section 7.

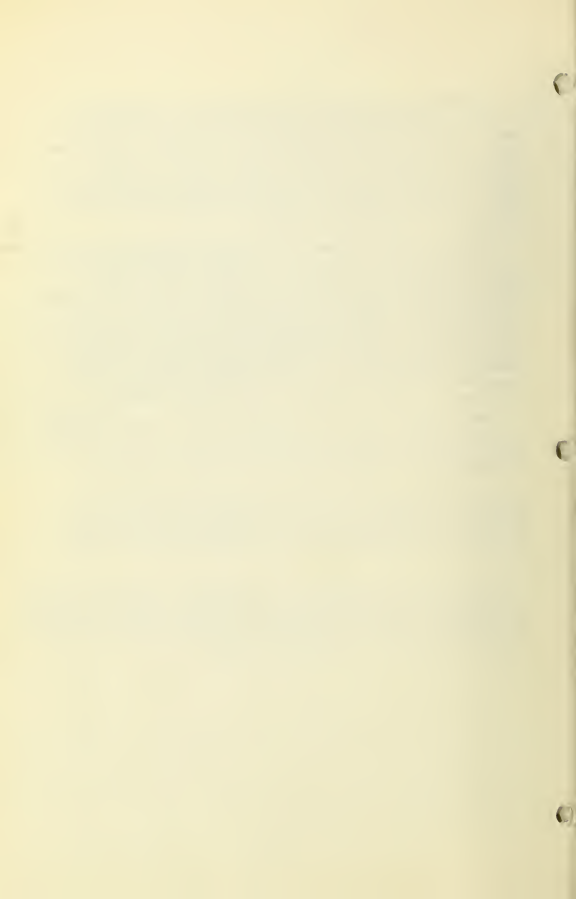
(a) An employee may waive the right to advancement or assignment under the status rule, and may thereafter upon written request, be granted a withdrawal of such waiver with the approval of the General Manager, Personnel; until such waiver is withdrawn, the employee's right to advancement or assignment shall be deemed to be in abeyance. Failure to accept an advancement or assignment to a vacancy under a status action following such withdrawal of waiver shall terminate all rights to a position in such class under such status action. In cases of temporary, seasonal or recurring status advancements, employees with status rights to so advance shall be given unlimited rights to temporary waiver. (Section amended 5/28/64)

(b) When a permanent employee in a former civil service class has exercised his right to status in one of the new classes resulting from the former class, he may thereafter voluntarily accept reassignment from the position to which he was assigned and be returned to a vacant position in the former class; or if no such vacant position exists, he may be reassigned to a vacancy in another new class to which he has status rights, provided that if this action results in his receiving a lesser salary than he would receive if he had remained in the former class, the Civil Service Commission shall reallocate the position to the former class in the next succeeding regular salary ordinance amendment, provided that the restoration of the position shall be effected by the Commission not later than six months after such voluntary reassignment. Said voluntary reassignment shall terminate his status rights with respect to the position from which he was voluntarily reassigned.

When a permanent employee in a former civil service class has exercised his right to status in one of the new classes resulting from the former class by transfer, and his probationary appointment is terminated by the appointing officer, his right to reassignment shall be governed by the provisions of this section in the same manner as if he had voluntarily requested same.

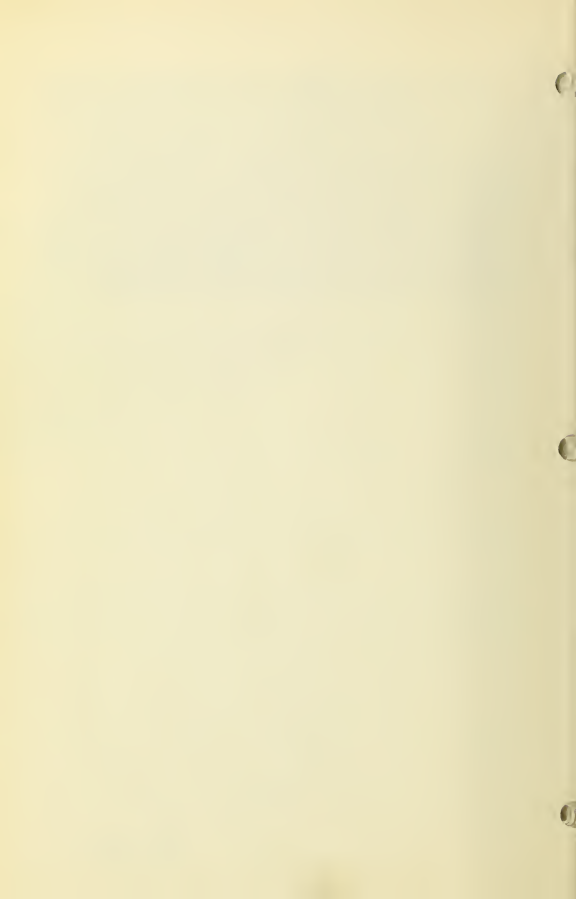
(c) If, because of lack of work or lack of funds or for purposes of retrenchment, it becomes necessary to lay off employees assigned under this status rule, such employees shall be laid off in the inverse order of their assignment to such positions, and they shall thereupon be returned to the positions in the class from which they were assigned subject to the provisions of Section 1, Rule 26.

Section 8. When a vacancy exists or is anticipated in any department to which an employee has rights to advance under the Status Rule, and there is no employee in the department in which the vacancy exists who wishes to exercise his right to advancement to said vacancy, the appointing officer shall enter such information on the requisition. (Sec. 8 - Amended Min. 1-19-67)



. Section 9. DISABILITY TRANSFERS: Employees occupying positions under special authority of Section 156 of the Charter and Section 2 of Rule 34 "Transfer of Disabled" do not have status rights as provided in the previous sections of this rule, but such employees shall be governed by the provisions of this section.

When a permanent civil service employee has transferred to a position in another class in accordance with the disability transfer provisions of the Charter and Rules of the Civil Service Commission, and the position to which he was transferred is reallocated to another class in accordance with the recommendations of the general classification survey and status is granted in positions as reallocated, his status shall continue under the new class title subject to the salary limitations provided in Section 156 of the Charter. If such employee desires reassignment from the position in the class to which he is currently assigned, to a position in another class resulting from the general classification survey, such request for reassignment shall be submitted on forms and in accordance with the procedure as provided in Section 2 of Rule 34, provided that if in the opinion of the General Manager, Personnel, further certification by the employee's personal physician would not be required, such certification may be waived. (New Section 9 revised and adopted 1-24-63)





RULE 24B. BLANKETING IN OF CHILD CARE CENTER EMPLOYEES

The blanketing in to the classified civil service of City and County of San Francisco of all child care center non-certificated employees by enactment of 1963 State legislation shall be subject to the following:

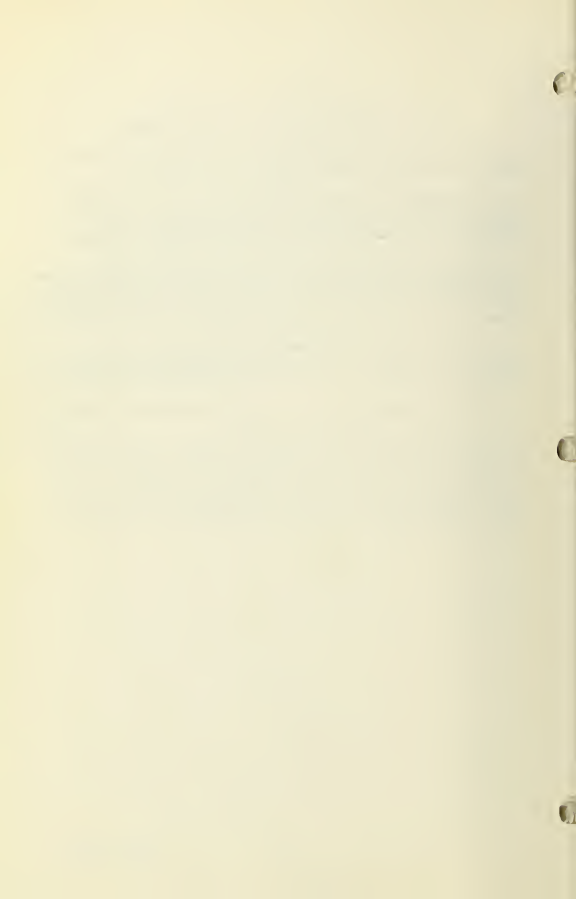
(a) Employees who have been continuously employed by the San Francisco Unified School District in child care centers in positions not requiring certification under the Education Code for a period of six months or more immediately prior to September 20, 1963, are blanketed into the classified service of the City and County of San Francisco in a permanent status.

(b) Those employees who have occupied similar permanent positions for less than six months on September 20, 1963, are given probationary status in their present positions, and upon successful completion of the prescribed probationary period of six months from the date of their appointment shall have permanent status.

(c) Status rights included in Rule 24A, Status Resolution, granted to employees in the classified service at the time of the general classification survey shall not be applied to child care center employees governed by the provisions of this rule.

(d) All future appointments to fill these positions will be in accordance with the civil service provisions of the charter.

(e) For purposes of promotive examinations, vacation, sick leave, salary increments, and transfers in which seniority is involved, seniority of child care center employees shall be as of the original date of appointment as shown on official records of the San Francisco Unified School District and approved and entered on the records of the Civil Service Commission; provided that records of accumulation and use of sick leave and vacation as entered on official records of the San Francisco Unified School District shall be considered in determining such credits.



## RULE 25. PROBATIONARY PERIOD

Any appointee to a position declared permanent by the Commission shall be on probation for a period of six months, provided that the probationary period for entrance positions in the uniformed rank in the Police Department shall be for one year. When the period of probationary appointment is interrupted because of absence on account of an industrial accident, the probationary period shall be calculated on the basis of actual service, excluding from such period of actual service the period of absence because of industrial accident; provided that if such absence because of industrial accident is to continue beyond a period of one month, the probationary appointment shall be terminated unless the appointing officer requests in writing stating good cause therefor and the Civil Service Commission approves a longer period of such absence. The probationary appointment of an employee certified to the San Francisco Unified School District shall be calculated on the basis of six months actual service, excluding from such period of service, periods of non-service because of school vacation periods. At any time during the probationary period the appointing officer may terminate the appointment by giving to the employee or mailing to his last known address a written notice of the termination specifying the reasons therefor. A copy thereof shall be filed immediately with the Civil Service Commission and the Commission shall inquire into the circumstances.

If the appointment results from an entrance examination the Commission may declare such person dismissed, or may return the name to the list of eligibles under such conditions for further appointment as the Commission may deem just. A person whose name is returned to the list of eligibles pursuant to this section will not again be certified to the same position and the same immediate supervisor in the department in which he or she was terminated for disciplinary reasons.

If the appointment resulted from a promotional examination the employee shall have the right of appeal and hearing before the Civil Service Commission, but if the employee desires to appeal for hearing before the Civil Service Commission, a notice of appeal shall be filed in writing with the Civil Service Commission within ten (10) days following the date of termination of appointment, otherwise the right of appeal and hearing shall be deemed to be waived. Upon receipt of notice of appeal the Commission will announce the time and place of hearing which shall be as soon thereafter as convenient. Within thirty (30) days after the receipt of the notice of termination, whether an appeal has been filed or not, the Commission shall announce its decision thereon in accordance with the provisions of the Charter, and this decision shall be final. Upon termination of a probationary appointment resulting from the promotional examination, the appointing officer may restore the employee to duty in the position from which he was promoted pending the decision of the Civil Service Commission if in his judgment such action is warranted.

Immediately prior to the expiration of the six months' probationary period the appointing officer shall report to the Civil Service Commission as to the competence of the probationer, and if competent shall recommend permanent appointment. This report and recommendation may be made at the time and on the form required under Rule 39 - Service Records.

(Rule amended 2-16-61)



## RULE 26. REDUCTION IN FORCE

Section 1. APPOINTIVE JURISDICTION: Except as may be otherwise provided herein, reduction in force in any class shall be treated separately under each appointing officer. In other words, reduction in any class made under one appointing officer shall have no effect on persons appointed in such class under another appointing officer, unless the employee laid off has completed at least five years of service under permanent civil service appointment in the classification from which the lay-off is to be made, in which event the employee shall have the right, subject to the provisions of sub-paragraphs a, b, and c hereof and with the approval of the Civil Service Commission, to displace an employee with less than five years service in that classification who has the least years of service in that classification regardless of department (Section Amended 6/27/56)

Section 2. PERMANENT POSITIONS: Whenever it becomes necessary for an appointing officer to reduce the number of persons employed under his jurisdiction in permanent positions in any class, such persons shall be laid off or relieved from duty in the inverse order of their certification in his jurisdiction and shall be entitled to such rights as are provided in Section 5 of this rule, and subject also to the right to displace an employee with lesser service as provided in Section 1 hereof; provided that -

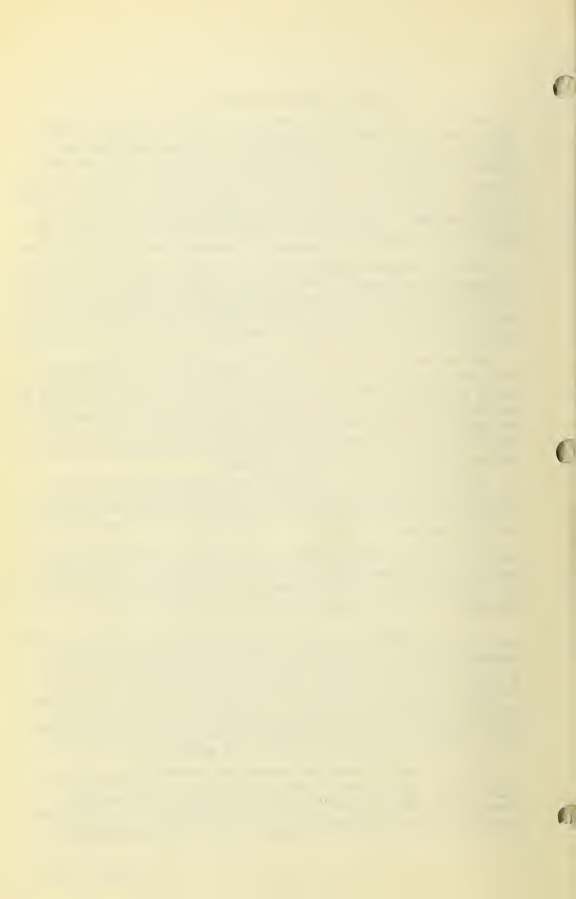
(a) The dates upon which persons were blanketed into their positions by provisions of the Charter shall be deemed to be the dates upon which their civil service appointments began, and where ties exist in such dates, the appointing officer may determine the order of precedence for lay-off, but when such order of precedence has once been fixed, it shall not thereafter be changed except with the consent of the Civil Service Commission; provided further that the date of appointment of a person blanketed into his position under authority of Section 125 of the Charter shall be the date of employment in the private utility in the position in which he acquired civil service status.

(b) When persons have been appointed through requisitions specifying sex, they shall be laid off by sex in the inverse order of their certifications; but in cases where the probationary periods have been served in permanent positions, no lay-off of one sex shall be made for the purpose of substituting the opposite sex on the same work.

(c) Lay-off of employees caused by the return of an employee or eligible from military service shall be in the inverse order of certification without regard to sex, except where appointing officers shall show cause, and the Commission shall approve, lay-off shall be made by sex in inverse order of certification in order to retain in the service employees of the sex best suited to perform the duties of particular positions. (Section amended 6-27-56)

Section 3. TEMPORARY (OR SEASONAL) POSITIONS: Whenever it becomes necessary for an appointing officer to reduce the number of persons appointed by him to temporary (or seasonal) positions in any class, such persons shall be laid off or relieved from duty in his jurisdiction according to their rank on the list of eligibles--the lowest in rank to be laid off first; and their names shall be returned to their places on the list of eligibles from which they were appointed, provided their eligibility still exists, and subject to the one-day limitation of Section 4, Rule 15. Reports of lay-off in temporary (or seasonal) positions should be made immediately to the Commission in order that the eligibles laid off may promptly be certified for other temporary appointments.

Section 4. PROMOTIVE POSITIONS, PERMANENT APPOINTMENTS: Whenever through lack of work or lack of funds, or because of retrenchment, a person becomes separated from a position he has held through a promotive appointment, such person shall be returned to the position from which he has been promoted to the permanent appointment held immediately prior to such promotive appointment and, if necessary, for this purpose, a reduction in force in the classes affected

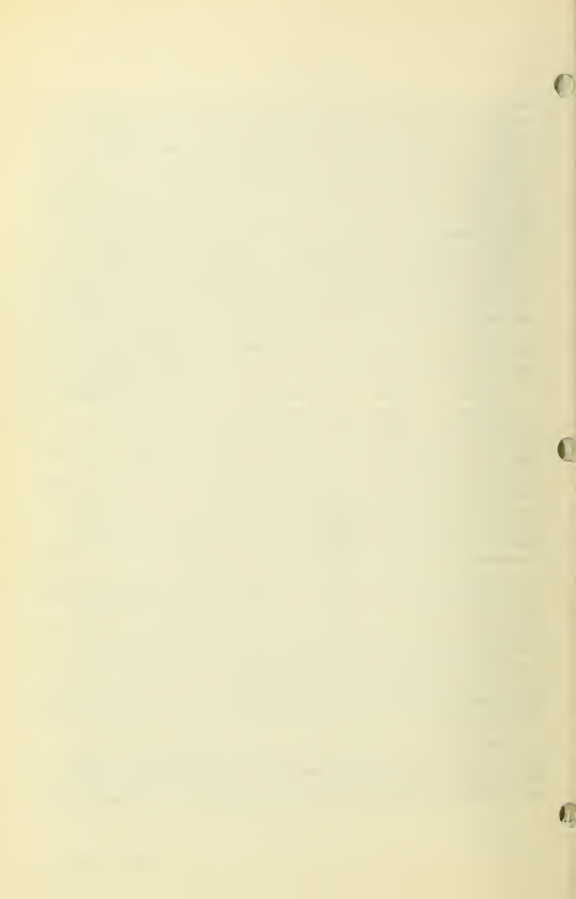


shall follow in the inverse order of the appointments made in such classes. The name of a person reduced in rank under this section who has not completed the probationary period in the promotional appointment shall be reinstated to the eligible list from which the promotional appointment was made, provided that such eligible list is still in existence. If the probationary period in the promotional appointment was completed, a person reduced in rank under this section shall, for a period of five years thereafter, be preferred for reinstatement to the position from which he was reduced, and if not reinstated during such period his rights thereto as provided in this rule shall cease, and he must reestablish his eligibility and standing by new examination. Upon recommendation of the General Manager, Personnel, the Civil Service Commission may, in cases where circumstances warrant, order that the provisions of this rule shall apply to an employee who is appointed to a position in a related and higher classification normally promotive from the classification in which such employee had permanent civil service standing, even though the examination for the higher classification was not held as a promotive examination. The provisions of this rule shall also apply to persons who are appointed to higher classifications even though the examinations for such higher classifications were not promotive examinations as defined in these rules when such appointments are vice persons on leave or vice eligibles who have appointment rights based on military service in accordance with the provisions of Section 153 of the Charter. The provisions of this section shall apply to persons blanketed into their positions under authority of Section 125 of the Charter and the dates of appointments of such persons shall be the dates of employment in the private utility. (Section amended 7-18-63)

Section 4.1. Any person who has been blanketed into his position by charter provision (excepting those persons blanketed into the city and county service under the authority of Section 125 of the Charter) who has been laid off because of replacement, lack of work, lack of funds, or for purposes of retrenchment, may in accordance with his civil service seniority based on the date of blanketing into civil service, be returned to a vacancy under the same appointing officer in the classification from which he had been normally promoted, as indicated by the official record of his employment history filed with the Civil Service Commission when he was blanketed into city service. A person reduced in rank under this section shall, for a period of four years thereafter, be preferred for reinstatement in accordance with his civil service seniority to the position from which he was reduced, and if not reinstated during such period may reestablish his eligibility and standing only by examination.

Section 5. HOLDOVERS: Any appointee who has served his probationary period in a permanent position, or any person who has been blanketed into his position by charter provision, who has been laid off because of lack of work, lack of funds, or for purposes of retrenchment, shall, during such lay-off, be termed a holdover and, according to his civil service seniority as a permanent appointee in his class under his appointing officer, shall be returned to duty in such classification and under such appointing officer when a vacancy either of a temporary or permanent character exists, provided that such a holdover may, with the consent of the Civil Service Commission waive his right to return under a temporary appointment if he is permanently employed outside the City and County Service, and provided further that such holdover may not thereafter withdraw his waiver of a temporary appointment without the special consent of the Civil Service Commission.

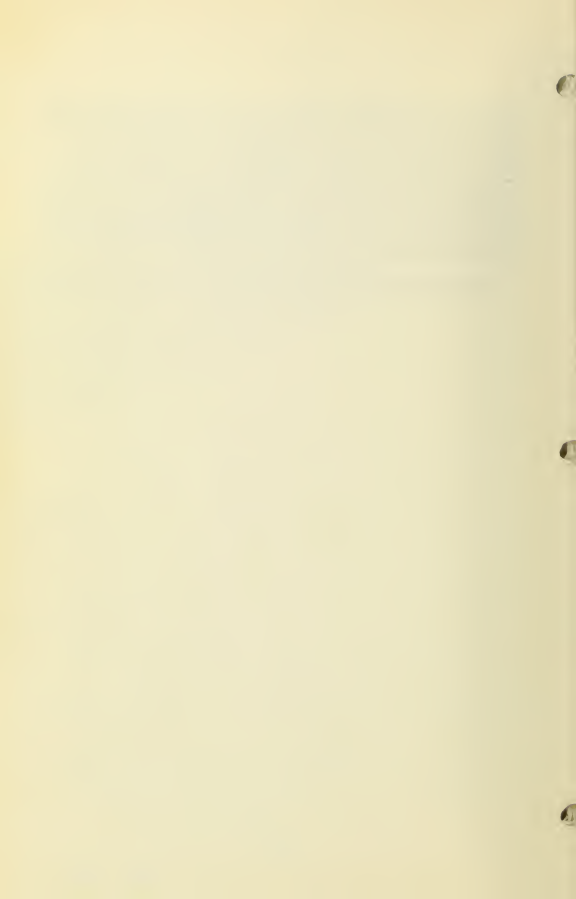
During the period that such appointee shall have such status of holdover, he shall be preferred in his class over eligibles on current lists for appointment to permanent or temporary positions under appointing officers other than the one under whom he has status as a permanent appointee. Preference in making such permanent and temporary appointments shall be given to the holdover that





has had the greatest length of service under civil service appointment in the class involved, provided that the date of civil service permanent appointment in cases of persons that have been blanketed into their positions by charter provisions shall be the date upon which they secured such standing. If a holdover waives an offer of permanent appointment to a department other than the one in which he had permanent status, he shall not thereafter be considered for permanent appointment to the department waived. Holdover rights to the position from which the holdover was laid off shall cease upon acceptance of permanent appointment to a position in another department, and such appointment to a position in another department shall be subject to serving a satisfactory probationary period. Resumption of the position in which a holdover has permanent standing shall automatically cancel any temporary appointment, and he shall then return to his said regular position.

Whenever ties in seniority of service occur, the Civil Service Commission shall determine which appointee shall be preferred.



If the position in which a holdover acquired holdover status is not resumed or reestablished within a five year period, the holdover status of such employee and all privileges as such, as defined in this section, shall cease; provided however, if such holdover has served for a substantial period of time during the five year period under temporary appointment in the class from which he was laid off, after a review of all the circumstances, and if the facts and circumstances warrant, the Commission may extend the holdover status of the holdover for such specified period of time as it may deem proper. (Section 5 - Amended 12-7-61.)

Section 5(a). **HOLDOVERS-TEMPORARY APPOINTEES.** An eligible who has been certified to a temporary position from a regular eligible list and has satisfactorily served under full time temporary appointment from such eligible list for a period or periods of one year or more during the life of such eligible list, shall upon expiration of the eligible list be termed a "Holdover-Temporary Appointee", and thereafter for a period of five years, shall have the right and shall be preferred over eligibles on eligible lists for continued certification to temporary appointments, and such right and preference shall continue so long as the temporary holdover serves satisfactorily under temporary appointment in such class for six months of each year of said five year period.  
(New Section 5(a) adopted Min. 3/1/62. Amended 3/29/62.)

Section 5(b). When more than one person has standing as a holdover temporary appointee in the same classification, preference for temporary appointment shall be given to the person having highest eligible list rank. (New Section 5(b) adopted 3/29/62.)

Section 6. **WAR LAY-OFF:** Regardless of any other provisions of this rule, an employee under civil service status in the municipal government may request a lay-off from his permanent position without regard to seniority to accept full time employment either in a government agency or war industry in work wholly connected with the war effort, and the Civil Service Commission may grant such request subject to the following conditions:

- (a) that no replacement is necessary and no replacement will be made of such employee during the period of said lay-off;
- (b) that in the judgment of the Civil Service Commission the services of such employee are not needed in a position of the same class in another department;
- (c) that the appointing officer shall approve the request of the employee for lay-off;
- (d) that such lay-off is valid only while the employee granted such lay-off is employed in full time work wholly connected with the war effort and may be cancelled or rescinded by the Civil Service Commission upon one month's notice to such employee who has been granted such lay-off; and
- (e) employees who are reached for regular lay-off as provided in section 2 hereof while on war lay-off shall thereafter be governed by section 5 of this rule.

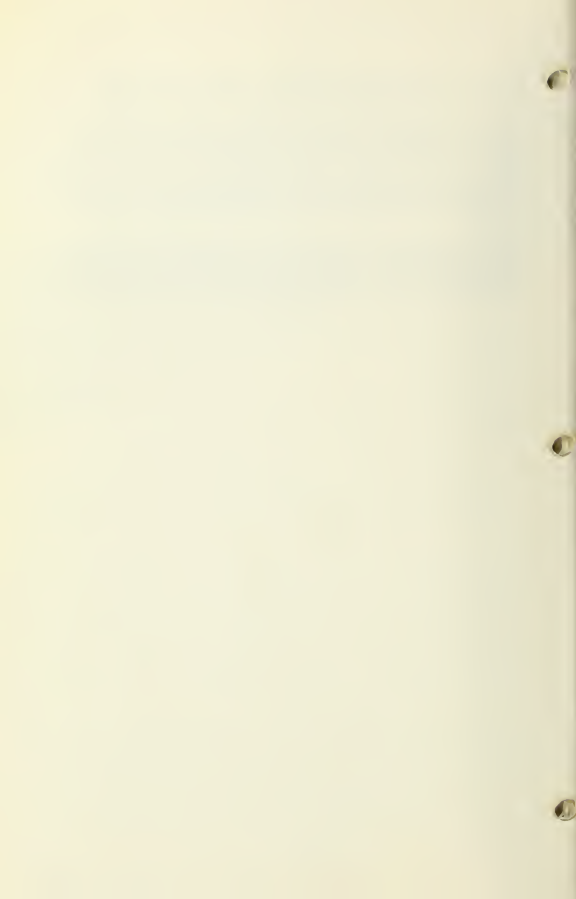
Section 7. **SPECIAL CERTIFICATIONS:** Regardless of any other provisions of this rule, an employee certified on a requisition requiring special education, training, or experience in a position in Division F-Engineering Service, pursuant to the provisions of Section 4 of Rule 21, shall be laid off when the work requiring such special qualifications is completed, provided that such appointees shall have rights to continued employment within their classification in positions where a specialty is not required if there are employees in such positions who have a later date of appointment and who have lower eligibility standing. ("Lower eligibility standing" refers also to employees in such positions who though having a higher ranking on the eligible list were under waiver for appointment to such positions).



Section 8. LAYOFF OF EMPLOYEE APPOINTED TO A POSITION FUNDED UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971, OR OTHER SPECIAL FEDERAL OR STATE PROGRAM.

When funds to create positions under the E.E.A. of 1971, or other special federal or state program where in order to qualify for funds appointees must meet and maintain qualifications established by the funding agency are discontinued, employees appointed from regular lists to such specially funded positions shall be laid off in order of seniority of appointment to such positions in their department; provided that if at the time of layoff such employee would have been reached for appointment to a regular budgeted position, then seniority for layoff in relation to all employees in the department in the affected class shall be calculated from the date the employee could have received appointment to a regularly budgeted position.

The holdover rights of employees laid off in positions funded under the E.E.A. of 1971, or other specially funded federal or state program shall be only to these specially funded positions, unless their eligibility standing would qualify them for appointment to a regular budgeted position, or unless the list from which they were appointed has expired. (New Section 8 adopted 9-8-71 - amended 11-8-71.)



## RULE 27. RELINQUISHMENT OF POSITIONS

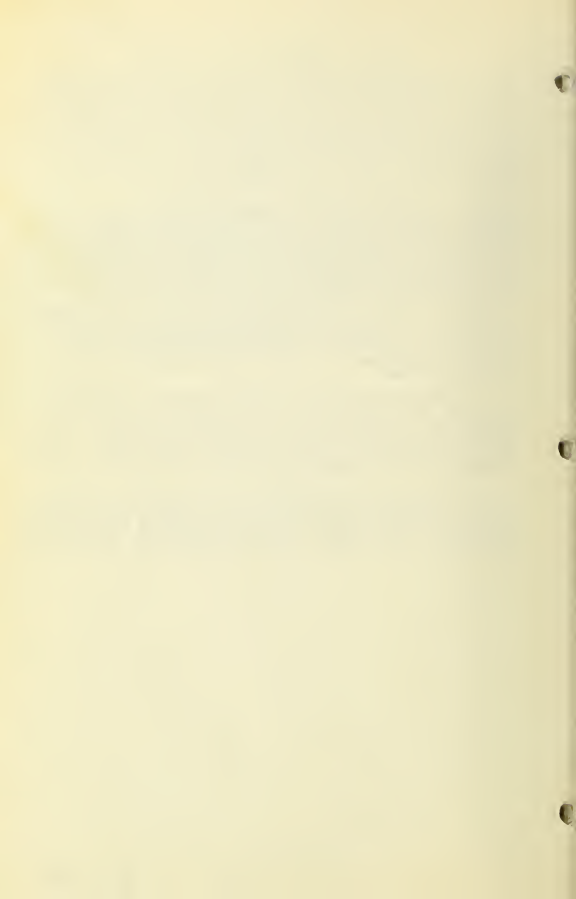
Section 1. TEMPORARY POSITIONS: Any person holding a civil service temporary position, whose services therein have been satisfactory, may, with the consent of the appointing officer and the Civil Service Commission or the General Manager, Personnel, thereof, relinquish such position, but such relinquishment will be treated as a waiver of temporary appointment in all classes of employment until such waiver is withdrawn and the withdrawal is allowed under the rule relating to withdrawal of waivers. Requests to relinquish a position shall be made on forms provided by the Civil Service Commission.

Section 2. PERMANENT POSITIONS: Any person serving in a permanent position under probationary or permanent appointment, whose services have been satisfactory, may, with the consent of the appointing officer and the Civil Service Commission or the General Manager, Personnel, thereof, relinquish said position provided that the name of an eligible who has relinquished three appointments to permanent positions in any one class shall be removed from all eligible lists in that classification on which he may have standing at that time.

A request to relinquish a position shall be made on a form provided by the Civil Service Commission, which form shall contain the certification of the appointing officer that the services of the employee have been satisfactory and that he relinquishes in good standing. An approved relinquishment shall be subject to the following conditions:

(a) That the employee shall thereby surrender all rights in and to the position relinquished, and shall take standing on the current list of eligibles for the class involved according to his examination score, under waiver of permanent appointment, and shall hold such eligibility only for the duration of such current list of eligibles, and shall be subject to removal from such current list of eligibles under the two-year provision of Section 145 of the Charter

(b) That when reappointed from such current list, he shall re-enter the service as a new appointee with no rights based on prior service except such as may be provided in connection with the administration of Rule 30, Annual Vacation, Rule 32, Sick Leave, and the administration of examination procedures with respect to credit for prior city service. (SECTION 2, 2A, AND 28 AMENDED 9-10-59 AND 12-17-59)





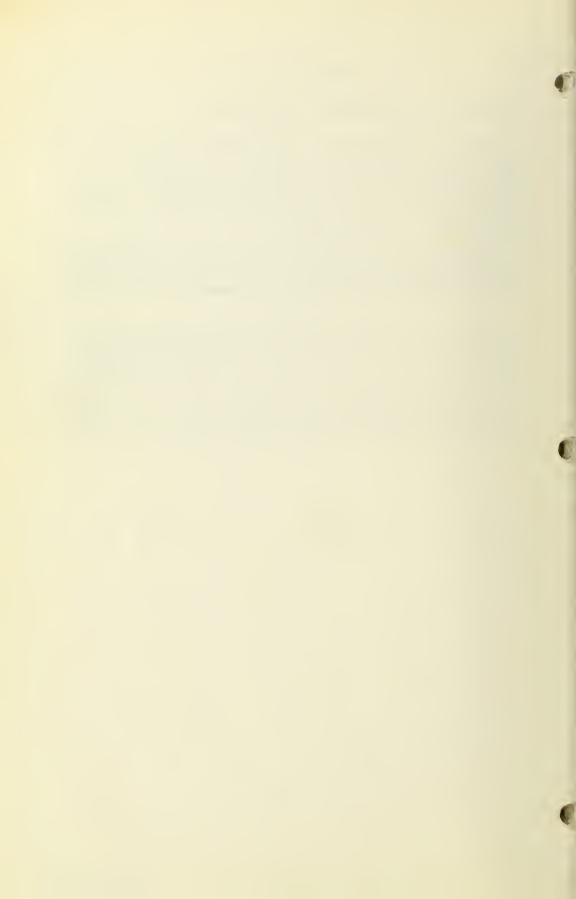
## RULE 28. RESIGNATION

Section 1. FORM OF: Each resignation shall be made on a form provided by the Civil Service Commission. (Amended 9/24/64)

Section 2. ACCEPTANCE AND APPROVAL OF ACCEPTANCE: Before a resignation shall become effective, it must be accepted by the appointing officer, and its acceptance must be approved by the Civil Service Commission or the General Manager, Personnel, thereof. After a resignation has been accepted by the appointing officer, it shall immediately be forwarded to the Civil Service Commission. When a resignation has been approved by the Civil Service Commission or the General Manager, Personnel, thereof, the separation shall be final and cannot be reconsidered.

Section 3. DETAILS OF UNSATISFACTORY SERVICE: When service has been unsatisfactory in the case of a person whose resignation has been accepted by the appointing officer, a detailed statement of the unsatisfactory service shall accompany such resignation when forwarded to the Civil Service Commission for its action.

Section 4. PENALTY FOR UNSATISFACTORY SERVICE: The names of persons who resign from their positions while charges are pending against them or while they are under suspension, or who, for any other reasons in the judgment of the Civil Service Commission, had not been giving satisfactory service, shall be removed from all registers of eligibles, and shall not be permitted to participate in any examination, unless otherwise ordered by the Civil Service Commission because of extenuating circumstances. Pending action of the Civil Service Commission on such resignations, the employee involved shall be placed under automatic waiver for all appointment from all eligible registers on which they may have standing. (Amended 12/7/61)



## RULE 29. SUSPENSION AND DISMISSAL

Section 1. CHARTER PROCEDURE: (Adopted: April 7, 1948) No person employed under the Civil Service provisions of this charter, exclusive of members of the Police and Fire Departments as provided under section 155 of the charter, in a position defined by the Civil Service Commission as "permanent" shall be removed or discharged except for cause, upon written charges and after an opportunity to be heard in his own defense. Pending such hearing, the appointing officer may suspend the person so accused: but such suspension shall not be valid for more than thirty days, unless hearing upon the charge shall be delayed beyond such time by the act of the accused person. When charges are made, the appointing officer shall, in writing, notify the person accused of the time and place when the charges will be heard, by mailing such statement to his last known address. The appointing officer shall publicly hear and determine the charges, and may exonerate, suspend, or dismiss the accused. If the employee is exonerated the appointing officer may, at his discretion, remit the suspension and may order payment of salary to the employee for the time under suspension, and the report of such suspension shall thereupon be expunged from the record of service of such employee. The Civil Service Commission shall immediately be notified of the charges when made, of the hearing, and of the finding thereon. The findings of the appointing officer shall be final, unless within thirty days therefrom, the dismissed employee appeals to the Civil Service Commission. The appeal and all proceedings shall be in writing and shall briefly state the grounds therefor. The Civil Service Commission shall examine into the case, and may require the appointing officer to furnish a record of the hearing and may require in writing any additional evidence it deems material, and may thereupon make such decision as it deems just. The order or decision of the Commission upon such appeal shall be final and shall forthwith be enforced by the appointing officer. If the Civil Service Commission shall reverse or alter the findings of the appointing officer, it may, in its discretion, order that the employee affected be paid salary from the time of his discharge or suspension.

The Civil Service Commission may hear and determine any charge filed by a citizen or by the authorized agents of the Commission when the appointing officer neglects or refuses to act. Removal or discharge may be made for any of the following causes: Incompetence, habitual intemperance, immoral conduct, insubordination, discourteous treatment of the public, dishonesty, inattention to duties, or engaging in prohibited political activities.

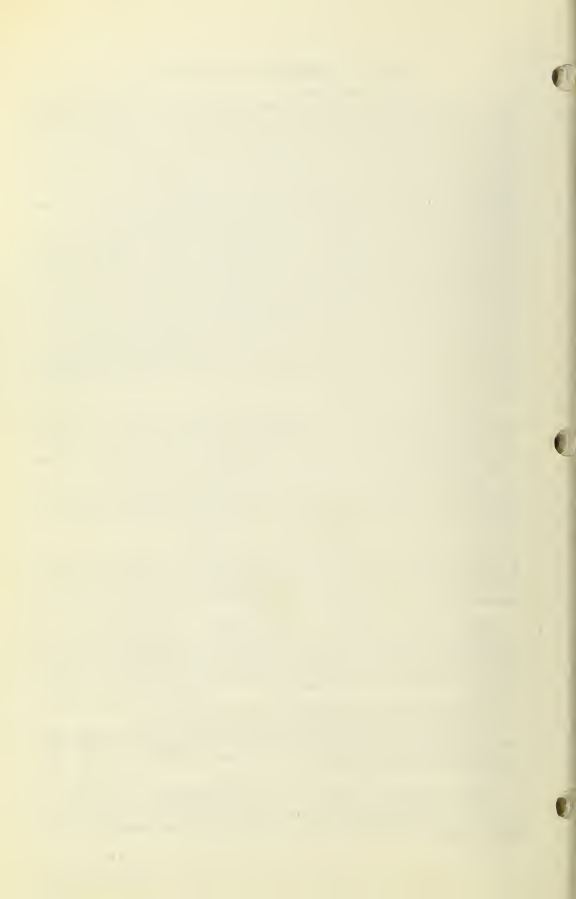
The appointing officer may for disciplinary purposes, suspend a subordinate for a period not exceeding thirty days; and suspension shall carry with it the loss of salary for the period of suspension. The suspended employee shall be notified in writing of the reason for such suspension, and if the suspension be for more than five days the employee shall, at his request, be given a hearing by the appointing officer. The decision of the appointing officer in all cases of suspension for disciplinary purposes shall be final.

Section 2. NOTICE TO BE FILED: Notice of dismissal of a Civil Service employee by the appointing officer shall be filed immediately in the office of the Civil Service Commission. The notice shall be in the form provided by the Commission and shall state the cause of such removal, the date of the filing of charges and the date of the hearing, and shall be authenticated by the signature of the appointing officer or his authorized representative.

Section 3. FORM AND GROUNDS FOR APPEAL: Any appeal from an order of dismissal, exclusive of members of the Police and Fire Department, shall be filled in duplicate with the Civil Service Commission within thirty days from the date of the finding of the appointing officer upon the charges for dismissal. Such appeal must be in writing on the form provided by the Civil Service Commission, and must briefly and clearly state the reasons upon which it is based. Appeal may be entertained upon any of the following grounds:

- (a) That the dismissal was made upon cause not covered by Section 154 of the charter;
- (b) That the evidence was insufficient to support the charge;
- (c) That new evidence has been discovered, which the employee did not have an opportunity to present at the hearing of the charges, and which, if heard, would probably have produced a different decision. (Such new evidence must be stated in substance, and names and addresses of new witnesses given.)

Section 4. COPY OF APPEAL TO BE TRANSMITTED: One copy of the statement of appeal shall be transmitted to the appointing officer from whose decision the appeal is made. The appointing officer shall be allowed fifteen days in which to file an answer, and may, by a special order of the Commission, be granted further time, not exceeding ten days.

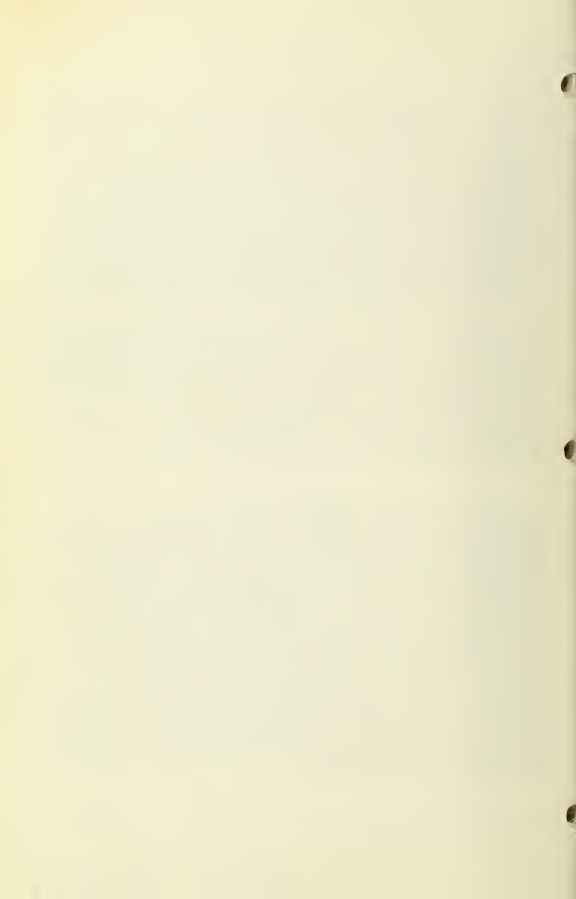


Section 5. CHARGES FILED BY CITIZEN: Charges filed against any Civil Service employee by a citizen or by an investigator employed by the Civil Service Commission shall be made in writing upon forms provided by the Commission and verified on oath before the secretary of the Commission or some other person authorized by law to administer oaths for general purposes. The Complaint must show that the conduct complained of has been brought to the attention of the appointing officer, and that for a period of thirty days he has refused or neglected to act. In each complaint shall be set forth the name of the accuser and the accused and a brief statement of the cause on which removal is asked; and if an offense be charged the complaint shall set forth with particularity the time and place of commission. A copy of the complaint shall be sent the accused by registered mail to the last address furnished by him to the Commission, together with notice that he has ten days to file a verified answer. Such period of ten days may be extended by written order of any of the Commissioners for periods not longer in the aggregate than twenty days. A failure to file an answer within the time allowed shall be construed as a waiver of trial by the accused, and the Commission may try the charges ex parte and without further notice to the accused. When the accused files an answer within the time fixed, a day shall be set for the trial, which shall not be less than five days thereafter, and the accuser and the accused shall be notified. The Finding and decision of the Commission upon such trial shall be final, unless a rehearing be granted within thirty days.

Section 6. EFFECT OF DISMISSAL: Any civil service appointee, dismissed from employment for cause, shall, unless otherwise ordered by the Commission, within thirty (30) days from the date of such dismissal be removed forthwith from all eligible registers, and shall not be permitted to participate in any examination except with the consent of the General Manager, Personnel. Any employee, whether under permanent or temporary appointment, whose appointment is terminated for cause, shall be immediately placed under automatic waiver for all appointment from all eligible registers pending action of the Civil Service Commission on such termination of appointment.  
(Section 6 - Amended 12-7-61.)

Section 7. EFFECT OF SUSPENSION. The General Manager, Personnel, shall investigate all cases of suspension of civil service employees for disciplinary purposes. When, after such investigation and after consultation with the appointing officer, further action in the opinion of the General Manager, Personnel, is warranted, he shall recommend to the Civil Service Commission whether the name of such employee should be placed under waiver for a stated period of time on any promotional list on which such employee may have standing, or whether his name should be removed from any such promotional eligible list, and whether such employee should be prohibited from participation in future promotional examinations for a stated period of time. The period of time during which such employee may be placed under waiver of appointment or prohibited from participation in promotional examinations shall not exceed one year unless a longer period is required by special order of the Civil Service Commission. The recommendation of the General Manager, Personnel, shall be prepared for the Civil Service Commission within five days of the date of receipt of the report of suspension, for consideration at the next following meeting of the Commission. The employee concerned and his appointing officer shall be notified of the meeting of the Civil Service Commission at which such recommendation will be considered. Pending action of the Civil Service Commission on such recommendation, the General Manager, Personnel, may withhold offer of appointment from the promotional eligible list.  
(New Section 7 adopted Min. 4-12-62.)

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#### RULE 30 - ANNUAL VACATION - TEMPORARY EMPLOYEES

Employees occupying positions under temporary appointment shall be governed by the provisions of the Vacation Ordinance (#124-60), except as herein provided. Temporary appointees must establish their right to a first vacation by being employed 11½ months within the 12 month period beginning from the date of their appointment, provided that such first vacation may not be claimed until the anniversary date of appointment. Such employment may be under either certification, emergency appointment or appointment exempt from civil service.

Temporary appointees who have established their right to a first vacation shall thereafter be allowed 5/6 of a day (or 1½ days after 5 years of service) adjusted to the nearest 1/2 day for each 22 days worked. Such days of vacation may be accumulated, provided that vacation earned during an anniversary year must be taken not later than 6 months following such anniversary year, and provided further that vacation allowance shall not exceed 10 working days (or 15 working days after 5 years of service) in any one calendar year. After the first year of service, a temporary appointee who is laid off from a temporary appointment, and who thereafter is not employed in the city and county service for a period of six months must re-establish vacation eligibility in the same manner as a first vacation.

Employees appointed to positions less than full time, but who work a regularly assigned schedule shall be entitled to proportionate vacation based on such regular schedule. Employees appointed for intermittent part-time work and who are not assigned to a regular schedule shall not be entitled to vacation for such employment. In the event of dispute, the Civil Service Commission shall be the final judge as to whether a part-time employment constitutes a regular or irregular schedule.

(Rule adopted 4/28/60 pursuant to Sec. 16.15, Ord. No. 124-60.)

(For full text of Vacation Ordinance see Ord. No. 124-60, 3/23/60; amended by Ord. No. 193-60, 4/15/60.)





RULE 30-A TIME OFF TO COMPENSATE FOR OVERTIME WORKED -  
EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL POSITIONS

Section 1. Overtime for employees occupying executive, administrative, or professional positions is hereby defined to mean the time worked in excess of regular work schedules as provided by the Annual Salary Standardization Ordinance. Time worked on legal holidays as designated in the said ordinance shall be treated as overtime worked.

Section 2. Time off equal to overtime worked may, subject to the provisions of this rule, be allowed by the appointing officer to employees whose classifications are included in the list of classes specifically denied additional compensation for overtime under the Annual Salary Ordinance.

Section 3. Overtime worked by employees referred to in Section 2 hereof shall be reported to the Civil Service Commission by the appointing officer on timerolls by the use of appropriate symbols as designated by the Controller.

Section 4. The fixing of dates for the allowance of equal time off for overtime shall be at the discretion of the appointing officer, but such time off may not be allowed after the close of the fiscal year within which the overtime was worked, provided that upon the filing of satisfactory reasons by the appointing officer as to why, in certain cases, equal time off cannot be allowed within the fiscal year in which the overtime was worked, the General Manager, Personnel, may permit such equal time off to be taken in the first half of the following fiscal year. (Section Amended 5/28/64)

Section 5. All time off allowed because of overtime worked shall be indicated in hours on timerolls, by appropriate symbols, and total hours used shall be noted in the remarks column of the timeroll.

Section 6. No part-time employee shall be allowed to accumulate time off for overtime worked. (Rule Amended 5/22/53)

RULE 30-B OVERTIME FOR MONTHLY EMPLOYEES

Section 1. Time worked on Saturday morning as part of a reduced crew in departments which are required to be open Saturday morning for the conduct of public business shall not be treated as overtime worked, but employees so working shall be granted one-half day off in the same or the succeeding week in lieu of the half day worked on such Saturday morning.

Section 2. Absence from duty because of leave with pay, military leave, annual vacation, or legal holidays shall be considered as time worked in computing a work week for overtime purposes. (Rule Amended 5/22/53)



## RULE 31. LEAVES OF ABSENCE WITHOUT PAY

Section 1. Leaves of absence without pay, hereinafter in this rule referred to as "leaves", shall be governed by the provisions of this rule.

### Section 2. GENERAL PROVISIONS.

- a) Leave requests are subject to approval by the appointing officer.
- b) A request for leave of more than five (5) working days must be made on forms provided by the Civil Service Commission.
- c) A civil service regular permanent appointee requesting leave must have completed the probationary period.
- d) A temporary appointee is limited to leave not to exceed ten (10) working days in any one certification period and then only if replacement of such appointee is not required. In the case of sick leave, such ten (10) day limitation may be extended upon the approval of the appointing officer for such period as the appointing officer will indicate that a replacement is not required, but not to exceed the original duration of employment as stated on the requisition. (Sec. 2(d) amended 3-29-71) (Ord. of Supervisors Res. No. 223-71 - 4-27-71)
- e) Leave requests shall be forwarded to the Civil Service Commission for recordation and approval, provided that the Civil Service Commission may authorize an appointing officer to act upon and retain leave requests, and provided further that such requests be maintained in a manner to be available for audit by the office of the Civil Service Commission.
- f) An appointing officer shall not require an employee to sign a resignation form as a condition of approval of a leave.

### Section 3. PERSONAL LEAVE.

- a) Except as otherwise provided in this section, request for leave for personal reasons other than those reasons specifically provided for in this rule, may be approved for a period not to exceed one (1) month for each six (6) months of permanent service up to a maximum of nine (9) months' leave.
- b) An employee who has been on personal leave for an aggregate of nine (9) months within a period of one (1) year may be given consideration for further leave, but not to exceed nine (9) months, after a year of subsequent service from the conclusion of the last leave, provided that the Civil Service Commission may approve up to two (2) weeks additional leave in cases of hardship or emergency.
- c) Personal leave for the purpose of accepting temporary employment outside of the city and county service in a position that would give experience to the employee that would make him more valuable to the city and county service, may be granted for a period of six (6) months. Upon recommendation of the appointing officer, such leave may be extended for six (6) month periods but not to exceed two (2) years, provided that in consideration for such extended leave, the employee shall sign an agreement that he will return to his city and county employment, and that he will not of his own volition terminate his city and county employment for a period of at least one (1) year after his return. Such agreement shall provide, in the case of failure to comply, for a penalty clause of payment to the city and county of an amount equivalent to one month's gross salary of the employee which shall be payable to the city and county under the provisions of Section 10.27-1 through -6 of the Administrative Code.

### Section 4. LEAVE TO ACCEPT OTHER CITY AND COUNTY POSITION.

A leave request to accept non-civil service, exempt or limited tenure appointment in another classification in the city and county service may be approved for the duration of such other employment.

### Section 5. SICK LEAVE WITHOUT PAY.

- a) Sick leave without pay may be approved for the period of the illness provided that requests for prolonged leave shall be renewed every six (6) months and provided further that such leave shall not be extended beyond a period of three (3) continuous years unless the civil service examining physician advises that there is reasonable pro-



bability that the employee will be able to return to his employment.

b) An appointing officer who has reason to believe that an employee is not medically or physically able to return to duty after a sick leave without pay of more than five (5) days, may require the employee to present a medical report from his personal physician certifying as to his medical or physical competency, or the appointing officer may refer the employee to the Civil Service Commission for medical examination to determine the competency of the employee to return to his duties. If found to be not medically or physically competent to return to his employment, the appointing officer may require the appointee to remain in a sick leave without pay status until such time as the employee is found to be competent to return to his employment. The employee may appeal such action of the appointing officer to the Civil Service Commission. Upon review of all of the evidence, including the medical report from a civil service examining physician, the Civil Service Commission shall make such decision as it may deem just, which action of the Commission shall then be in force.

c) An appointing officer who has definite evidence that an employee is not medically or physically competent to perform his duties, and if allowed to continue in his employment may represent a risk to himself or to his fellow workers or to the public, may require such employee to present a medical report from his personal physician or from a Civil Service Commission examining physician certifying as to the employee's medical or physical competency to perform his duties. If the employee refuses to obtain such physician's certificate, the appointing officer may then place the employee on sick leave without pay (or sick leave with pay if the employee has sick leave with pay credits due), and shall immediately report such action to the Civil Service Commission. Return of such employee to his position shall be as provided in Section 5 (b) above. An employee placed on leave status under the provisions of this section may appeal to the Civil Service Commission and the employee shall thereupon be immediately referred to a civil service examining physician for examination and for report. Upon review of the medical report and such other evidence as may be obtained by the Civil Service Commission, or evidence that may be presented by the employee and the appointing officer, the Civil Service Commission shall make such decision as it may deem just, including an order for payment of salary for work time lost without pay, if the action of the appointing officer placing the employee on sick leave without pay is reversed, which action of the Commission shall then be in force.

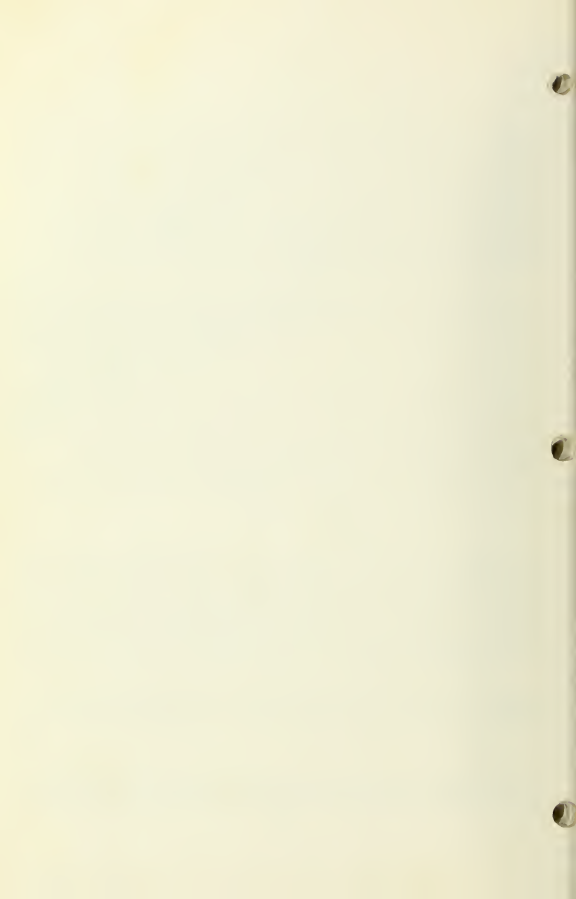
#### Section 6. EDUCATIONAL LEAVE.

a) Leave for the purpose of securing additional education in a field related to the employee's position may be granted for the period required to complete course work or to complete work for a degree, provided that if such leave is for a period in excess of one (1) year, the employee shall sign an agreement to return to his city and county employment, and that he will not of his own volition terminate his city and county employment for a period of at least one (1) year after his return. Such agreement shall provide, in the case of failure to comply, for a penalty clause of payment to the city and county of an amount equivalent to one month's gross salary of the employee which shall be payable to the city and county under the provisions of Section 10.27-1 through -6 of the Administrative Code.

b) Veterans of the armed forces may be granted educational leave for the period required to obtain benefits to which they are entitled under any vocational or other training or educational program pursuant to laws of the United States or the State of California.

c) Requests for educational leave that extend beyond one (1) year shall be renewed every year.

d) An employee whose request for educational leave is denied by the appointing officer may appeal to the Civil Service Commission. After review of all of the circumstances, the Commission shall make such decision as it may deem just, which action of



the Commission shall then be in force.

e) An employee while on educational leave shall not accept other employment without approval of the Civil Service Commission, provided that during school vacation periods an employee may be permitted to return to a vacant position in his classification and department, or to other city and county employment where vacancies exist, and for which employment he is qualified.

f) Upon expiration of educational leave, and as soon as records are available, the employee shall present to the Civil Service Commission, through the appointing officer, a record of completed educational work.

#### Section 7. CIVILIAN SERVICE IN THE NATIONAL INTEREST.

a) Leave for the purpose of serving with a Federal, State or other public agency, or a non-profit organization in a program that is deemed to be in the national or general public interest may be approved.

b) A leave requested under the provision of this section if for longer than one (1) year shall be renewed at the end of the first year. Such a leave shall not be extended beyond a second year unless the appointing officer certifies that the further continuance of such leave would not be detrimental to the city and county service.

c) The Civil Service Commission shall determine whether a leave requested under this section is for service which may be deemed to be in the national or general public interest.

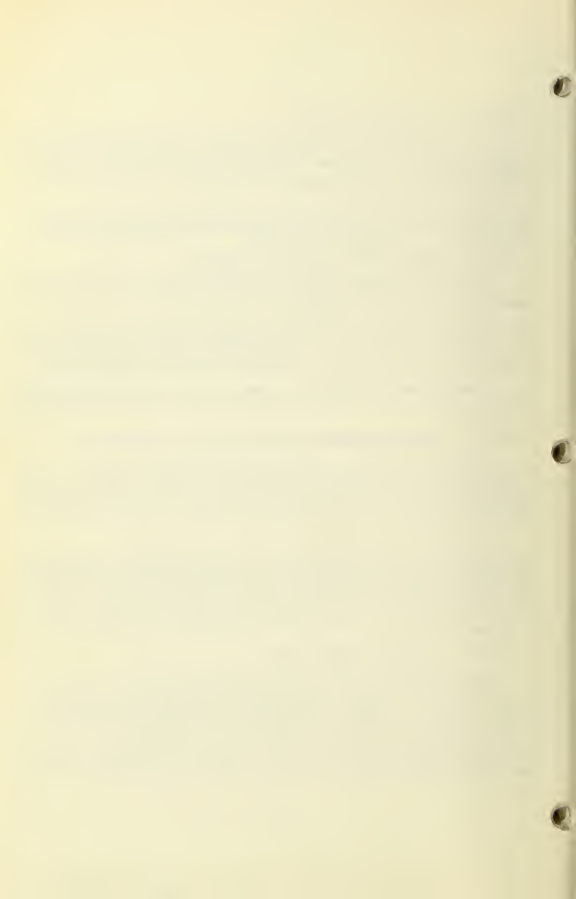
#### Section 8. EMPLOYMENT AS EMPLOYEE ORGANIZATION OFFICER OR REPRESENTATIVE.

a) Leave requested for the purpose of serving on a full time basis as an officer or representative of an employee organization whose membership is limited to city and county employees, or if the employee organization is not so limited, then to serve exclusively as an officer or representative only of city and county employee members of such employee organization, may be approved for the duration of such service with the employee organization.

b) An employee, who, though not on leave of absence from his city and county position, serves as an officer or delegate of an employee organization as defined in Paragraph (a) above, may be granted a leave of absence for the purpose of attending a convention or other type of business meeting of his employee organization. An employee whose request for such leave is denied by the appointing officer may appeal to the Civil Service Commission. After review of all of the circumstances, the Commission shall make such decision as it may deem just, which action of the Commission shall then be in force.

#### Section 9. SEA DUTY AS A LICENSED OFFICER.

Leaves for sea duty as a licensed officer aboard ships operated by or for the U. S. Government shall be granted in time of emergency declared by the President of the United States or by the Congress, or while any Act authorizing compulsory military service or training is in effect. Upon expiration of a leave approved under this section, the employee shall present to the Civil Service Commission proof of such service. An employee granted leave in accordance with this section who engages in any occupation or pursuit other than that for which the leave was granted shall be deemed to be absent from duty without leave and shall be subject to the provisions of Rule 33-Absence From Duty Without Leave.





Section 10. ABRIDGMENT OF LEAVE.

a) Leaves shall remain in force for the period granted unless abridgment is approved by the appointing officer. Provided that, no abridgment of a leave granted under Section 3 (Personal Leave) of this rule shall be approved if such abridgment would cause the layoff of an appointee from a regular civil service list.

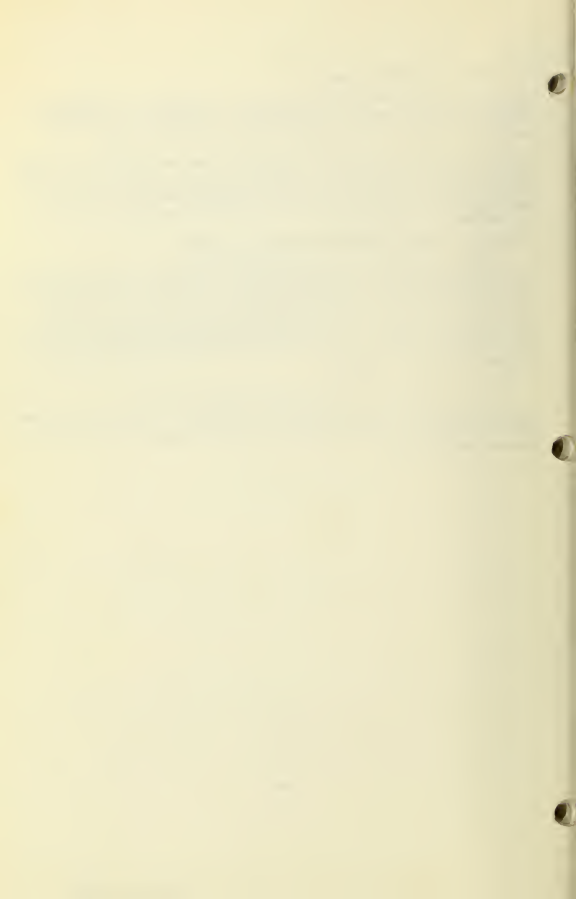
b) Abridgment of leave granted under sections other than Section 3 of this rule that will result in the layoff of an appointee from a regular civil service list, shall require two (2) weeks prior notice to the appointing officer, provided that in the case of leave taken to accept other city and county appointment (Section 4), where such second appointment is terminated without prior notice to the employee, the employee may then immediately abridge such leave.

Section 11. FAILURE TO RETURN AFTER EXPIRATION OF LEAVE.

Failure of an employee to return to duty after expiration of a leave shall be deemed to be abandonment of the position and shall be recorded as an automatic resignation from the position. An automatic resignation under this section will be subject to reconsideration if so requested by the employee within thirty (30) calendar days from the date of expiration of the leave, provided that if an employee can present proof that he was incapable of communicating with the appointing officer because of being involuntarily detained or because of mental incompetency, and presents such proof within thirty (30) days at the time that he was able to so communicate, the automatic resignation may then be reconsidered.

Section 12. APPOINTMENTS EXEMPT FROM CIVIL SERVICE EXAMINATION.

Appointing officers, without reference to the Civil Service Commission, may grant appointees in positions exempt from civil service examination, leaves in accordance with the provisions of this rule. (Approved - Resolution #683-67 - Board of Supervisors - Effective Date: 10-11-67)



## RULE 31.1. MILITARY LEAVES

### Section 1. OFFICERS AND EMPLOYEES ELIGIBLE FOR LEAVES OF ABSENCE:

Appointing officers, with the approval of the Civil Service Commission, and subject to the provisions of the State Military and Veterans Code, and of Section 153 of the Charter, when such charter provisions are not in conflict with the provisions of the State Military and Veterans Code, shall grant military leaves of absence (hereinafter referred to as military leave) as hereinafter provided to any officer or employee of the City and County of San Francisco, or any non-certificated officer or employee of the Unified School District of said city and county (hereinafter referred to as employees), other than employees appointed under emergency authorization or civil service temporary appointment; provided that the appointment of an employee serving under temporary civil service appointment at the time of entrance into military service as hereinafter set forth shall be terminated upon such entrance into said service and his name shall be returned to the list of eligibles from which he was appointed, provided such eligible list is still in force and effect.

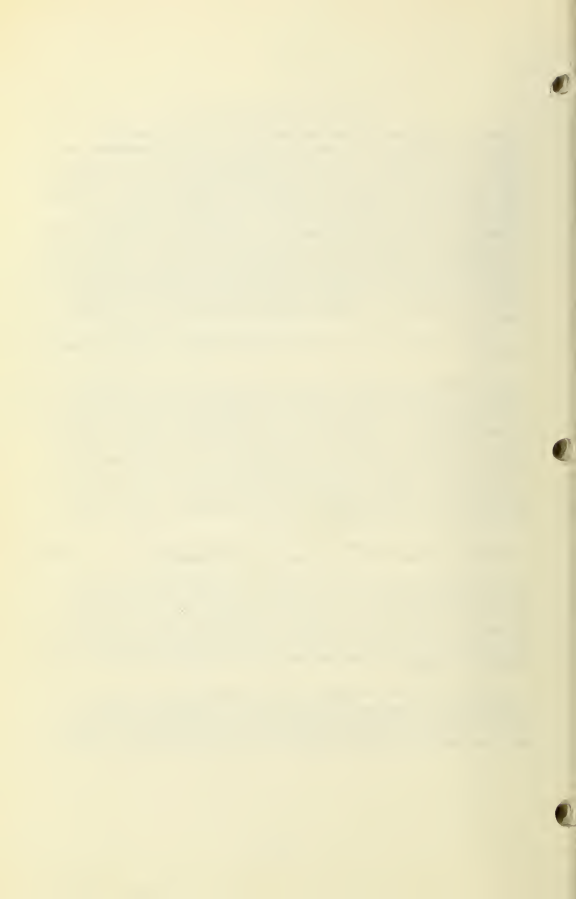
### Section 2. MILITARY LEAVE; SERVICES FOR WHICH GRANTED; DURATION; AND WHEN WITH PAY:

(a) Employees who are members of the National Guard or Naval Militia, or members of the reserve corps or force in the federal military or naval service shall be granted military leave for a period not to exceed one hundred and eighty calendar days in any fiscal year while engaged in the performance of ordered military or naval duty, and while going to and returning from such duty; provided that in time of war or national emergency as proclaimed by the President or Congress or while any conscription act is in effect, employees shall be granted military leave for the period of military service and for a period not to exceed three months after the termination of such active military service but not later than six months after the end of the war, or after the end of the national emergency, or after the expiration of the national conscription act. (Amended 10/23/53)

(b) In time of war military leave shall be granted to employees for sea duty aboard ships operated by or for the United States Government.

(c) Employees granted military leave under the provisions of paragraph (a) of this section who have been in the employ of the City and County or the Unified School District for a period of not less than one year continuously prior to the date upon which military leave begins shall receive their regular salary or compensation for a period not to exceed thirty calendar days of such military leave in any fiscal year nor for more than thirty calendar days during any period of continuous military leave. (Amended 8/30/50) (See Ordinance No. 6285)

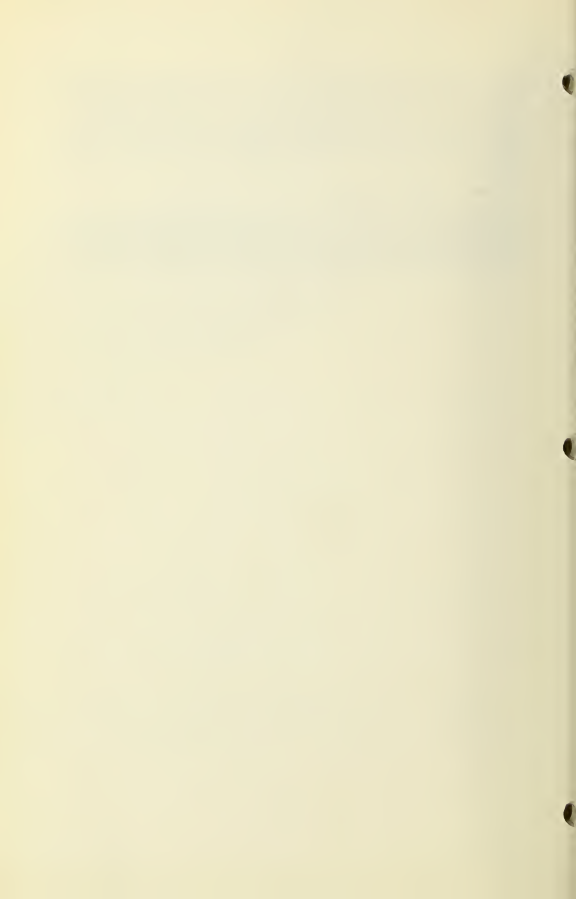
Section 3. CIVIL SERVICE STATUS: When any employee on military leave has been appointed to a permanent position, he shall be entitled to resume a position in the same class and department at the expiration of his military leave. Any employee granted military leave under the provisions of this rule who is serving a probationary appointment in his position at the time such



leave is granted shall be deemed to have satisfactorily completed his probationary period six months following the date of such appointment thereto and shall thereupon be deemed a permanent employee, provided that probationary employees in class Q2 Policeman shall be deemed to have completed their probationary period one year following date of appointment thereto. The term of service for which such military leave was granted shall be reckoned a part of his service under said city and county in computing seniority in the municipal service.

Section 4. STATUS OF ELIGIBLES:

(a) TIME OF WAR: In time of war or during any emergency lawfully declared by the President of the United States, any person serving in the armed forces of the United States or the State of California who has standing on an eligible list shall retain his place thereon, and upon presenting an honorable discharge or certificate of honorable active



service within one year from the date of discharge or release from military service, he shall be preferred for appointment for a period of four years after the proclamation of peace or the termination of the emergency in the order of his standing upon such eligible list at the time of his entering such military service and before candidates securing standing through an examination held subsequent to such entrance into military service.

If, while in the military service, the name of such an eligible was reached for certification to a permanent position, and such eligible presents an honorable discharge or certificate of honorable active service within 120 days from date of discharge, he shall thereupon be certified to a position in the class for which he was reached while on military leave, and for all purposes of seniority the date of certification shall be deemed to be the date when such eligible was reached for certification while in the military service; provided that if no position exists to which such immediate certification can be made, such right of certification shall continue until the eligible can be so certified; but in no case shall such right continue beyond the period of eligibility; and provided further that no such persons shall be certified to entrance positions in the uniformed ranks of the police and fire departments under this provision who are more than thirty-five years of age, unless the names of such persons were reached for certification to such positions before such persons reached the said age. Should eligibles waive appointment offered in accordance with the provisions of this section, or should eligibles have been under waiver for appointment at the time of entrance into military service, they shall then retain their eligibility for the four (4) year period as stated above. Certification to a position after the withdrawal of waiver in accordance with the provisions of Rule 22 shall carry with it seniority for all purposes as of the date of certification only.

#### Section 5. EXCEPTIONS AND LIMITATIONS TO DURATION OF MILITARY LEAVE:

(a) **ELECTED OFFICER:** Military leave granted an elected officer shall not extend beyond the period of time for which he was elected; provided, however, if said officer is re-elected for an ensuing term of office, said military leave shall be automatically extended to cover such ensuing term.

(b) **OFFICER APPOINTED FOR DEFINITE PERIOD:** Military leave granted an officer appointed for a definite period of time in accordance with charter provision shall not extend beyond the period of time for which he was appointed; provided, however, if said officer is reappointed to such position for an ensuing period of time, said military leave shall be automatically extended to cover such ensuing period of time.

(c) **OFFICER OR EMPLOYEE EXEMPTED BY CHARTER FROM CIVIL SERVICE EXAMINATION:** Military leave granted an officer or employee exempted by charter provision from civil service examination, except those provided for in subdivisions (a) and (b) of this section, shall not extend beyond the period of time for which his appointing officer was himself elected or appointed, or holds such office.

**Section 6. PROOF OF DUTY:** Any officer or employee applying for military leave shall, at such time, present to the Civil Service Commission a copy of the orders requiring such service for which said military leave is requested. Upon discharge or release from such service for which said military leave was granted, said officer or employee shall present to the Civil Service Commission a copy of his discharge or release from said service.





a) No reimbursement shall be made if the employee or officer is eligible to receive reimbursement for said tuition under a Federal or State veterans benefit program, or from other public funds.

b) An employee or officer whose application for training under the provisions of this section does not receive the recommendation of his appointing officer, may appeal to the Civil Service Commission. The Civil Service Commission shall then inquire into the reasons of the appointing officer's disapproval of such application and the Commission shall thereupon make such order as it deems just, which said order shall be final.

Section 3. TRAINING FOR WORK IN PRESENT CLASSIFICATION: An eligible employee or officer may apply to the Civil Service Commission through his appointing officer for reimbursement in a training course during or outside working hours for the purpose of improving himself in his present classification, given by an accredited educational institution; accredited educational institutions shall be defined as institutions whose courses offered for credit are acceptable for regular examination given by the San Francisco Civil Service Commission. The Commission shall be the judge of whether such training meets the criteria of improving performance in the employee's present job and whether the training can be provided through available in-service activities. Subject to the budgetary and fiscal provisions of the charter, the employee or officer shall be reimbursed for tuition, supplies, books, and other fees for such course if attendance has been approved in advance and funds have been appropriated and are available. If attendance is during regular hours, it shall be considered a duty assignment for the purpose of payment of salary. The Civil Service Commission will verify that the employee has satisfactorily completed the course with a passing grade. If the course is not graded, or is not a credited course, an official transcript or other official document from the accredited school certifying completion of the course shall be deemed evidence of satisfactory completion.

a) An employee or officer whose application for training under the provisions of this section does not receive the recommendation of his appointing officer may appeal to the Civil Service Commission. The Commission shall then inquire into the reasons of the appointing officer's disapproval of such application, and the Civil Service Commission shall thereupon advise the appointing officer as it deems just.

Section 4. The Civil Service Commission shall be the judge of whether an educational institution is properly accredited for the purpose of this ordinance. The appointing officer shall consider the employee's record of performance in making his recommendations. (Amended 3-11-68)



### **RULE 31.3. LEAVES WITHOUT PAY PURSUANT TO GOVERNMENT TRAINING & EDUCATIONAL PROGRAMS FOR VETERANS**

Any veteran of the armed forces discharged or released therefrom under honorable conditions who holds permanent civil service status as an officer or employee of the city and county, and who is entitled to benefits under any vocational or other training or educational program pursuant to laws of the United States or the State of California, will be granted leave of absence while attending and pursuing courses of studies authorized and established thereunder, providing the interests of the city and county, or a department thereof, are not seriously impaired by the granting of such leave. Requests for leaves of absence under the provisions of this rule shall first be filed by the officer or employee with the appointing officer under whose jurisdiction he serves. The appointing officer shall either recommend approval or disapproval of the request and his reasons therefor, and shall, without delay, forward the request with his recommendation to the Civil Service Commission for action. If this appointing officer recommends denial of the request he shall indicate thereon in what manner and to what extent the interests of the city and county, or of his department, will suffer by reason of the granting of the leave. The commission shall investigate the circumstances in connection therewith and shall thereupon approve or disapprove the request of the officer or employee in accordance with its judgment. Proof of attendance at such courses of study satisfactory to the commission shall be filed by the officer or employee on completion of the course of study, and periodically at the end of such school term. Such leaves shall stand abridged not later than thirty days after the completion of the course of study or if the employee discontinues the course of study.

### **RULE 31.4. EMPLOYEE TRAINING REIMBURSEMENT PROGRAM**

**Section 1. WHO MAY APPLY FOR REIMBURSEMENT:** Any employee or officer holding regular appointment to a full time permanent position under the city and county or the San Francisco Unified School District, who has served a minimum of one year continuous permanent service in any class immediately prior to receipt of application may apply for tuition reimbursement in accordance with the provisions of this rule and the provisions of the Administrative Code. Applications for reimbursement shall be prepared in duplicate on a special form provided by the Civil Service Commission; the original of such form shall be forwarded to the Civil Service Commission, a copy shall be retained by the employee. Such application for reimbursement shall be made prior to the date of enrollment in the course and if approved by the Civil Service Commission, reimbursement shall be subject to successful completion of the course with a passing grade and availability of funds. The employee so reimbursed must agree to remain in the employ of the city and county for at least two years following completion of the training course. If an employee resigns or relinquishes from the city within the two-year period and withdraws his funds from the Retirement System, the amount of the tuition reimbursed shall be repaid by the employee to the City and County of San Francisco by cash payment or out of the employee's last pay warrant or retirement earnings.

**Section 2. TRAINING FOR PROMOTION OR ADVANCEMENT:** An eligible employee or officer may apply for reimbursement for a training course pertaining to the duties of a higher classification when such course is given outside of regular working hours by an accredited educational institution; accredited educational institutions shall be defined as institutions whose courses offered for credit are acceptable for regular examination given by the San Francisco Civil Service Commission. Subject to the budgetary and fiscal provisions of the charter, the employee or officer shall be reimbursed one-half of the cost for tuition for said course if attendance has been approved in advance, and funds have been appropriated and are available. The Civil Service Commission will verify that the employee has satisfactorily completed the course. An official transcript or other official document from the accredited school certifying completion of the course with a passing grade shall be deemed evidence of satisfactory completion.



RULE 32 - SICK LEAVE WITH PAY

Section 1. GENERAL REQUIREMENT: The officers and employees of the City and County of San Francisco and non-certificated employees of the San Francisco Unified School District who are absent from their duties because of illness or disability, as defined in this rule, shall be granted sick leave with pay subject to the provisions of this rule; provided that employees working in city departments or the San Francisco Unified School District in temporary training and economic assistance positions provided for in whole or in part by Federal or State funds shall be excluded from the provisions of this rule. Sick leave with pay is a privilege recognized by Charter and by Ordinance of the Board of Supervisors and should be requested and granted only in cases of absence necessitated because of illness which incapacitates the employee for the performance of his duties or as defined below.

Employees are prohibited from working in any other employment when on sick leave with pay status from their regular civil service position; with the exception that after considering the medical reason for the sick leave with pay, the appointing officer with the approval of the Civil Service Commission or the General Manager, Personnel, may permit the employee to engage in a secondary employment. Violators of this provision will forfeit twice (two times) the period of sick leave with pay during which period the employee engaged in secondary employment.

Section 2. DEFINITION OF SICK LEAVE: A leave of absence granted under this rule for one of the following reasons shall be known as "sick leave".

a) Absence necessitated because of bona fide illness or injury other than illness or injury arising out of and in the course of City and County employment; provided that employees who become injured as a result of engaging in secondary employment outside of the City and County service shall not be entitled to sick leave with pay for such injury. Absence due to illness or injury arising out of and in the course of employment is administered under the rules of the Retirement Board and is referred to as a "disability leave". Such disability leave may be supplemented by sick leave as provided in Section 5 of this rule.

b) Absence because of medical or dental appointments.

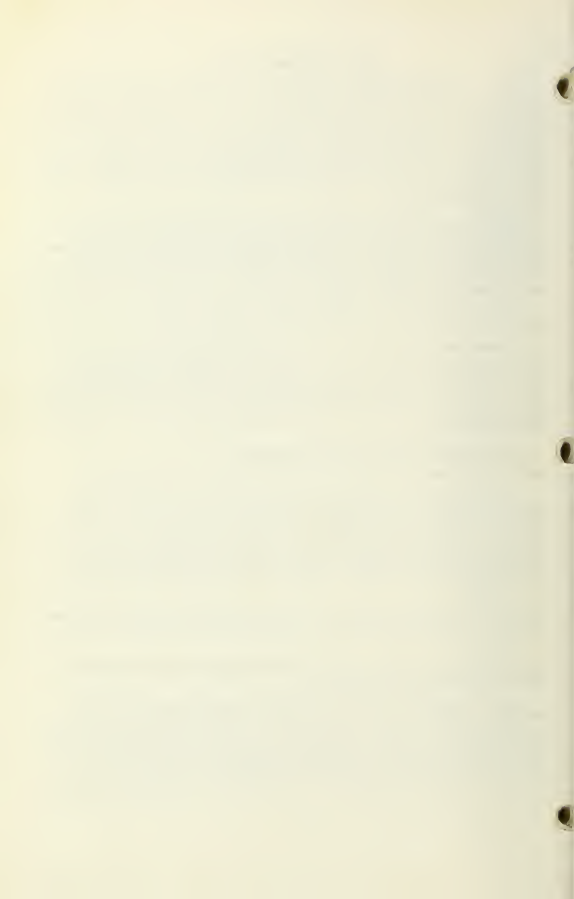
c) Absence due to quarantine established and declared by the Department of Public Health or other competent authority, but only for the period of such quarantine.

d) Absence necessitated by death of mother, mother-in-law, father, father-in-law, husband, wife, child, brother or sister, and any person related by family ties who is permanently residing in the household of the employee; provided that in such case the leave shall not extend beyond the date of the burial of said deceased person, or shall not extend beyond the third day after the date of death of such relative, whichever is the earlier, provided further, that if burial is outside of the State of California, one additional day shall be granted. The "date of burial" shall be deemed to include any work shift which begins prior to 6:00 a.m. of the morning immediately following the day of burial.

e) Absence necessitated by death of other relatives, but leave with pay in such cases shall be for not more than one (1) day to permit attendance at the funeral of the deceased.

f) Absence due to alcoholism if medically diagnosed by a licensed physician and the employee is receiving assistance or has agreed to an approved course of treatment approved by the Civil Service Commission.

Section 3. PERIODS OF SICK LEAVE: Officers and employees who are subject to the provisions of Section 153 of the Charter, and who have served under appointment to a permanent position continuously for at least six (6) months, and who are absent because of illness or injury as defined in Sections 1 and 2 (a) of this rule, shall be entitled to sick leave with full pay as provided herein during their occupancy of said positions. Sick leave necessitated because of absences as defined in (b), (c), (d) and (e) of Section 2 of this rule may be granted without the necessity of occupying a position for any period of time and may be granted for the periods of time as indicated in Section 2.



Section 3.1 - CALCULATION OF SICK LEAVE CREDITS.

a) Upon completion of service as herein required, permanent employees shall be credited with earning 12 working days of paid sick leave per completed year of paid service; provided that such earned sick leave shall be credited on a pro rata basis based upon the completion of regularly scheduled paid service for the employee's classification, excluding overtime, but including holidays and other paid absences.

b) Officers and employees who have occupied their positions under temporary appointment continuously for at least one year and who thereafter are absent because of illness or injury as defined in Sections 1 and 2 of this rule, shall be entitled to sick leave with full pay during their occupancy of such positions, which shall be calculated on the basis of number of hours worked multiplied by the factor .0384.

c) Sick leave with pay when not used shall be cumulative but the accumulated unused period of sick leave shall not exceed the equivalent of six (6) months regardless of the length of service, except as provided in Section 4 hereof.

A break in service of twenty (20) days by a temporary employee other than an employee designated "holdover temporary employee", will cause prior sick leave with pay earned to be cancelled.

Section 3.2. Platform employees of the Municipal Railway who are paid for report time but who do not work a full day will accrue 8 hours work credit toward sick leave with pay benefits for such days.

Section 4. ACCUMULATION OF SICK LEAVE: Officers and employees shall be entitled to sick leave with pay according to the schedule in Section 3, in addition to sick leave necessitated because of absence due to quarantine or death of relatives until the maximum of an equivalent of six (6) months' accumulation has been reached, at which time deduction shall be made from accumulated sick leave credits of any absences due to quarantine or death of relatives; provided that when said maximum accumulation of an equivalent of six (6) months has been reached, and thereafter part of said maximum accumulation has been used, the used part of said maximum may again be replenished according to the schedule in Section 3 for each subsequent year of service.

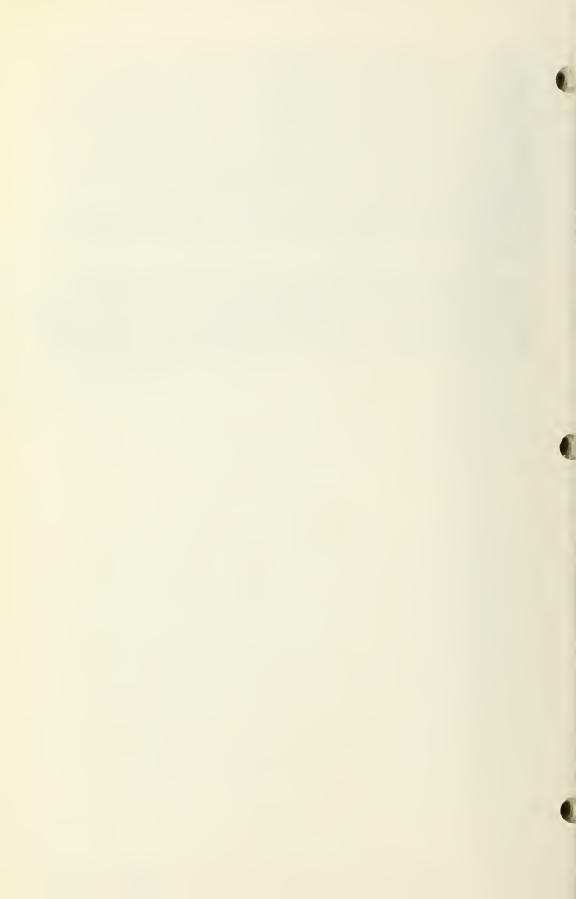
Section 4.1. EMPLOYEES INJURED BY BATTERY. Any officer or employee absent because of injury sustained by reason of any battery perpetrated upon him by another person, such battery occurring while the employee is engaged in the performance of his duties, shall be entitled to sick leave with pay without the necessity of occupying a position for any period of time, and such sick leave shall not be charged against sick leave credits as provided in Section 3.1. Such sick leave shall not exceed the six (6) months maximum authorized by Charter, and shall not be supplemented by other sick leave credits. Sick leave granted in accordance with this section shall be used to supplement disability leave in accordance with the provisions of Section 5. Sick leave under this section shall be subject to approval by the Civil Service Commission, and the Commission shall make such investigation as it may deem necessary, including examination by physicians designated by the Commission, to determine that sick leave is properly authorized under this section.  
(New Section 4.1 adopted 9-8-71.)





Section 5. USE OF PARTIAL SICK LEAVE TO SUPPLEMENT DISABILITY LEAVE: Officers or employees of the City and County of San Francisco who are absent from duty because of disability arising out of and in the course of their employment, are governed by the provisions of the Workmen's Compensation Laws in Division 4 of the Labor Code of the State of California and such rules as may be made under authority thereof by the Industrial Accident Commission; and the allowance of benefits and leaves of absence of said persons, in accordance with the provisions of said Act, is under jurisdiction of the Retirement Board; provided that at the option of such officer or employee who is absent from duty because of incapacity caused by illness or injury arising out of and in the course of employment, salary may be paid and charged against earned and unused sick leave credits as authorized under Sections 3 and 4 hereof. Such salary so paid shall be the amount which when added to disability indemnity payable under such Workmen's Compensation Law, will equal the normal salary of the employee in his municipal position for his regular work schedule effective at the commencement of disability. Said salary shall be authorized on separate payrolls or timecards prepared by the department in which the officer or employee is engaged only after certification by the Retirement Board of the amount of said disability indemnity benefit if any paid for the period.

Provided further, that salary may be paid on regular payrolls and charged against earned and unused sick leave credits during the first seven calendar days of such absence without requiring a signed option statement by the officer or employee and without certification of the Retirement Board. Such salary shall be based on the employee's normal rate of pay and regular work schedule. In cases where such salary has been paid during such seven-day period and subsequently it is determined by the Retirement Board that the officer or employee is entitled to disability indemnity payments during such period, then provision shall be made for reimbursement to the appropriate city and



county fund of an amount derived from such disability indemnity payments as shall reduce the amount of sick leave salary paid from such fund, to what it would have been if partial salary had been paid as provided above to supplement the disability indemnity payments to which the officer or employee subsequently became entitled, and the record of the employee's earned and unused sick leave credits shall be adjusted accordingly. The reimbursement and readjustment procedure described in this paragraph shall apply also to any case in which an officer or employee receives sick leave salary because of an absence not then known to be due to disability caused by illness or injury arising out of and in the course of employment but is subsequently determined to be due to such disability. Payment of sick leave salary followed by reimbursement to the appropriate city and county fund from disability indemnity benefits shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits up to the amount of such benefits used as reimbursement.

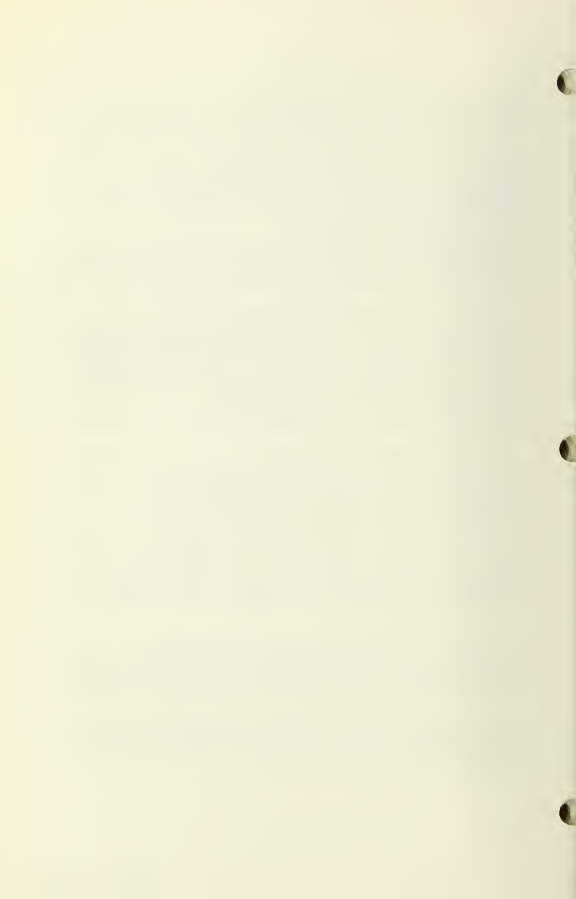
**BONUS SICK LEAVE CREDITS:** At such time as an employee uses sick leave with pay to supplement disability payments for Workmen's Compensation, sick leave with pay credits shall thereafter be earned at a rate of two times the regular rate until the amount of sick leave credits used to supplement disability payments for Workmen's Compensation is made up.

**Section 6. APPLICATION FOR SICK LEAVE:** Applications for sick leave, as defined in Sections 1 and 2 of this rule, shall be made to the head of the department in which the person making said application is employed; provided that the Manager of Utilities, the Director of Public Works, the Director of Public Health and the Director of Finance and Records may authorize the head of any department, bureau, division or officer, under their respective jurisdiction, to grant and approve the allowance of sick leaves of absence. When any application for a sick leave of absence is denied by the respective persons herein authorized to grant the same, the applicant may appeal to the Civil Service Commission from said denial, and the said Commission shall cause the facts on which said application is based to be investigated and may, upon said investigation, make such order in the premises as said Commission shall deem just, which said order shall be final.

No sick leave exceeding five (5) days shall be granted to any person unless there is presented by the person asking for said sick leave and with the application therefor, a physician's certificate stating the necessity for said sick leave, provided however, that a certificate of a doctor of dental surgery stating the necessity for sick leave because of oral surgery may be accepted, and provided further a statement from an accredited Christian Science practitioner or one authorized to practice as such by the First Church of Christ Scientist in Boston, Massachusetts, certifying to treatment and the need therefor may be accepted in lieu of a physician's certificate covering illness of a person who is an adherent to the teachings of Christian Science and relies thereon for healing. The head of the department or other officer to whom said application is made may make such independent investigation as to the necessity for said sick leave as he shall deem proper. When, in the case of a sick leave, pay is allowed for the period of the first five days, or any part thereof, the officer, board or commission granting the same shall certify to the Civil Service Commission that he has investigated the case and has found it deserving. Illness caused by illegal conduct shall not be made the basis of any sick leave.

A doctor's certificate will be required for any sick leave with pay in excess of 2 days taken within the two month period immediately preceding resignation or relinquishment, provided that if an employee leaves the service by resigning or relinquishment, and has been granted sick leave with pay in excess of 2 days during the aforementioned two month period and has not presented a doctor's certificate, the amount of such sick leave with pay shall be withheld from his final check or his retirement contributions.

If there is a break in service of more than two weeks following relinquishment, prior sick leave credits shall be lost; employees must start anew to earn sick leave with pay credits; provided that if an eligible withdraws a waiver within two working days following relinquishment, such break in service shall be extended to thirty calendar days before prior sick leave credits shall be lost.



Section 7. REPORTS TO CIVIL SERVICE COMMISSION: The officer, board or commission granting sick leave shall immediately report the action to the Civil Service Commission, provided that the Civil Service Commission may authorize an appointing officer to review and act upon such request for leave of absence and to retain the leave form in such manner as to be available for audit, review or analysis by the Civil Service Commission staff. When so authorized to approve and retain leave requests, the appointing officer shall certify on the timoroll that approval of leave of absence has been in accordance with the provisions of law and rules of the Civil Service Commission. Appointing officers who are authorized to review and retain leave request forms are further authorized to withhold delivery of pay warrants to employees who fail to submit leave forms as required by this section. The Civil Service Commission may at any time make such independent investigation as it shall deem proper regarding the illness of any person on sick leave.

Section 8. RETIREMENT AUTOMATICALLY TERMINATES LEAVE OF ABSENCE: Except as otherwise provided in this rule, whenever a leave of absence has been granted under this rule to any officer or employee, and such officer or employee during such leave is retired, his leave of absence shall automatically terminate on the date of his retirement.

Section 8.1. DISPOSITION OF SICK LEAVE BALANCE REMAINING AT TIME OF RETIREMENT OR DEATH OR SEPARATION CAUSED BY INDUSTRIAL ACCIDENT: ("Employee" means officer or employee.) Sick leave remaining to the credit of an employee upon the effective date of his retirement for service or disability, or upon the date of his death or upon the date of separation caused by industrial accident, shall be disposed of as follows:

Upon retirement or separation on account of industrial accident -

The employee shall be paid in accordance with the schedule of service requirements and allowances indicated below for the unused period of accumulated sick leave at the base rate of pay excluding any overtime or premium rates whatsoever, and provided that such payments shall be limited to a maximum of six (6) months sick leave.

Upon death - The estate of such employee shall be paid in accordance with the schedule of service requirements and allowances indicated below for the unused period of accumulated sick leave at the base rate of pay excluding any overtime or premium rates whatsoever, and provided that such payments shall be limited to a maximum of six (6) months of sick leave.

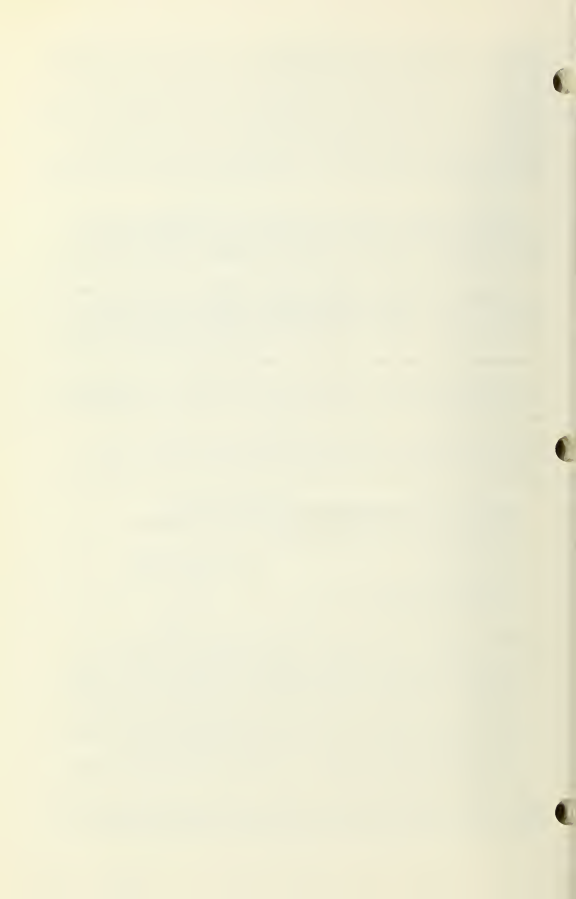
Schedule of Service Requirements and Allowances For Payment For  
Unused Accumulated Sick Leave At The Time of Retirement, Separation  
On Account of Industrial Accident or Death.

<u>Service Requirement</u>	<u>Amount of Cash Payment</u>
a) 15 or more years of service	100%
b) More than 5 years but less than 15 years of service	50%
c) Up to and including 5 years of service	33-1/3%

Payment for unused sick leave as herein provided shall be further subject to the following: ("Separation" means separation caused by an industrial accident.)

- The Civil Service Commission shall administer the provisions of this section.
- Compensation for unused sick leave credits as herein provided shall be payable at the time of retirement, separation or death, or at a later date when so elected by the employee, but within one year of such retirement, separation or death.
- Compensation for unused sick leave credits upon retirement, separation or death, is to be based on the rate of pay of the regular permanent classification of the employee, or at the rate of pay of a limited tenure employee who has regular permanent status in another class and who has held such limited tenure appointment for one year or more.

The enactment of this section is not intended to constitute additional compensation, nor be a part of the rate of pay of the employee, but is reimbursement for accumulated sick leave to the credit of the employee and to which he would have been entitled if he had not retired, separated or died. (Section 8 and 8.1 effective 5-26-71.)



**Section 9. POLICE AND FIRE DEPARTMENTS:** Sick leaves granted to members of the uniformed forces of the Police and Fire Departments shall be regulated by rules adopted respectively by the Police and Fire Commission, which rules and amendments thereto shall be subject to the approval of the Civil Service Commission, and when so approved by the Civil Service Commission shall be deemed as included in this rule; provided that calculations of sick leave with pay credits for employees of the uniformed forces of the Police and Fire Departments shall be as provided in Section 3.1 of this rule.

**Section 10. POSITIONS TO WHICH THIS RULE SHALL NOT APPLY:** The provisions of this rule shall not apply to certificated employees of the Board of Education for whom sick leaves with pay are governed by State law, nor to positions of patrol special officers appointed by the Police Commission.

**Section 11. TIMEROLLS:** Sick leaves with pay granted under this rule shall be indicated on timerolls by appropriate symbols designated by the Controller.

**Section 12. Unused overtime credits for executive, administrative and professional personnel who do not receive premium pay for overtime worked,** may with the approval of the appointing officer, be credited to sick leave account when sick leave has been exhausted; such overtime credits shall be limited to overtime earned during the current or prior fiscal year.

**Section 13. SICK LEAVE CREDITS - WHEN NOT EARNED:** Sick leave credits may not be earned for overtime worked.

**Section 14. SICK LEAVE EARNINGS - PART TIME EMPLOYEES:** If an officer or employee working full time in one city department earns sick leave with pay for the full time position, and has permission to be employed on a part-time basis in another city department, such employee shall not earn sick leave credits for the part-time position.

**Section 15. OPENING BALANCE CREDITS:** When the new provisions for calculating sick leave credits are in force, the opening balance credit shall be the number of hours of sick leave with pay credit recorded on the official records in the Civil Service Commission as of January 1, 1969; sick leave credits subsequent to this date shall be maintained in accordance with the provisions of this rule.

**Section 16. SICK LEAVE WITH PAY COMPENSATION:** Employees assigned to positions that are scheduled on a shift basis shall, when on sick leave with pay, be paid the shift differential which they would have earned had they worked during that same period.

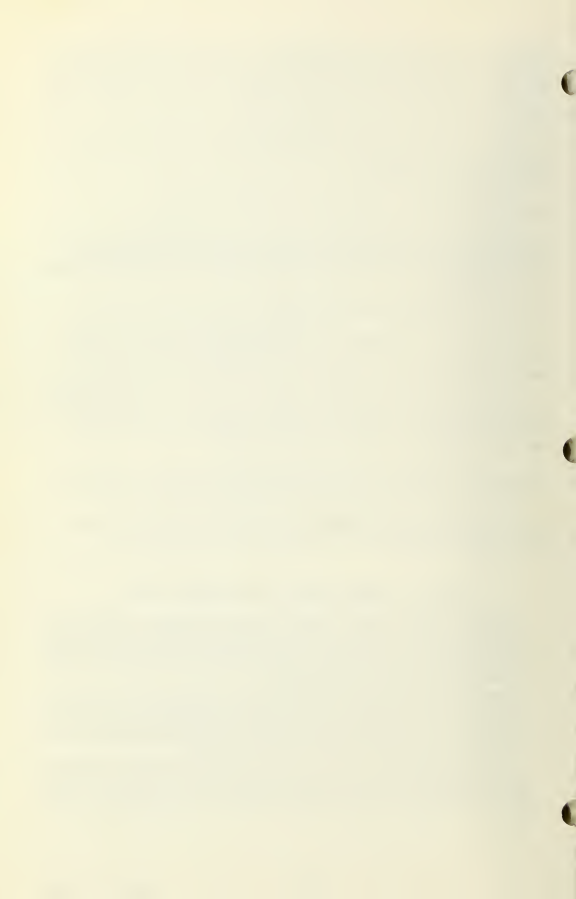
**Section 17. EFFECTIVE DATE:** This sick leave rule shall be effective on January 1, 1969. (Approved B/S Ord. No. 296-68) (New Section 16 above adopted CSC 5/5/69 - B/S Res. #400-69 - 6-13-69.)

### **RULE 33. ABSENCE FROM DUTY WITHOUT LEAVE**

**ABSENCE FROM DUTY:** Absence from duty without leave or permission from the head of the department, or failure to report for duty at the expiration of leave of absence or vacation, or failure of a holdover as defined in Rule 23 to report for duty when notified to do so by the Civil Service Commission, shall be considered "inattention to duties" within the meaning of Section 154 of the Charter and shall be good cause for suspension or dismissal under the provisions of the said Section 154.

**APPOINTING OFFICERS:** Appointing officers shall immediately investigate and report to the Civil Service Commission such instances of absence without leave or permission, or failure to report for duty at the expiration of leave of absence or vacation, or failure of a holdover to return to duty, and shall initiate disciplinary proceedings against such employees pursuant to the provisions of Section 154 of the Charter.

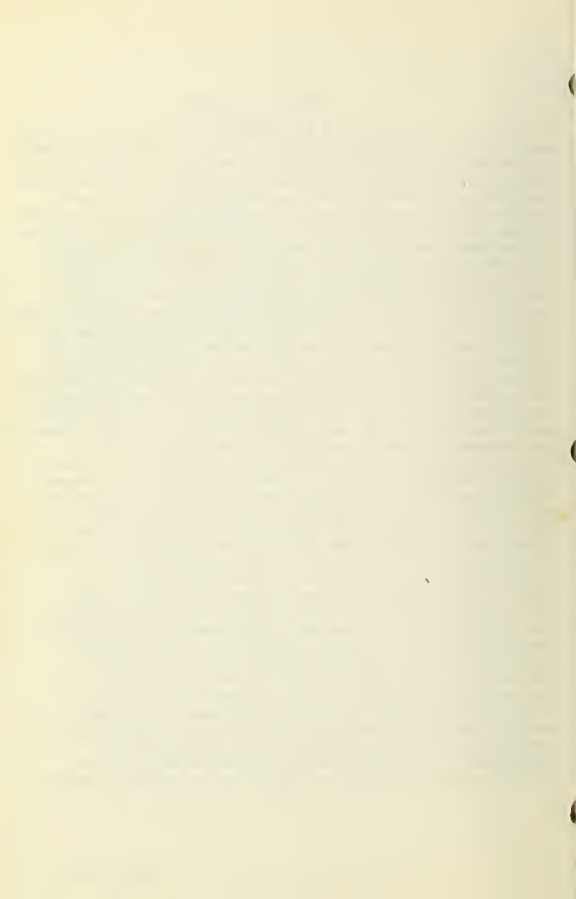
Should the appointing officer refuse or neglect to initiate such proceedings, the Personnel Director and Secretary of the Civil Service Commission shall report such facts to the Commission and shall prepare and file with the Commission, charges of inattention to duties against such employees, setting forth therein all the facts and circumstances pertinent thereto.





## RULE 34. TRANSFERS

Section 1 FOR THE GOOD OF THE SERVICE: Whenever, in the judgment of the Civil Service Commission, it is for the best interests of the service, an employee holding permanent appointment under a regular civil service position under one appointing officer, may, upon his written request, be transferred by the Civil Service Commission to a permanent regular position of the same class under another appointing officer or to a permanent school term position in the same class in the San Francisco Unified School District; provided that no appointee from an existing list of eligibles may be offered appointment by transfer ahead of any available eligible on such existing list who has higher rank than such appointee; and provided further that the employee requesting such transfer must complete the form provided by the Commission for transfer requests, and such request, before it is filed in the office of the Civil Service Commission must, unless otherwise ordered by the Civil Service Commission, contain the approval of the appointing officers of the departments concerned, and such request may specify only one appointing officer to whose department transfer is sought; and provided further that such request for transfer will not be considered in connection with the filling of any vacancies except with the approval of the General Manager, Personnel, that the transfer request is in accordance with the provisions of this rule and the Charter; and provided further that a person so transferred under this section shall begin as a new appointee in the position to which he is so transferred and shall serve therein a new probationary period; and provided that the acceptance of such transfer by an appointee shall immediately and automatically cancel all his rights in the position from which he was transferred, with the exception that the transferee may, prior to completion of the probationary period, request reinstatement to the position from which he was transferred subject to and in accordance with the provisions of Section 3 of Rule 24; and provided further that in the event of lay-off, the provisions of Section 1, Rule 26, shall govern. Having served a satisfactory probationary period in one department, an employee serving a new probationary period in the same classification under the provisions of this rule shall be permitted to participate in a promotive examination for which he may be otherwise eligible while serving such new probationary period,



RULE 34. TRANSFERS (Cont'd.)

and he shall be entitled to any appointment resulting from such examination without regard to his probationary status. In making transfers under this section, preference shall be given to the appointee who has a clean record and who has the longest service under civil service permanent appointment in his class; provided that the date of "civil service permanent appointment" in cases of persons that have been blanketed into their positions by charter provision shall be the date upon which they secured such standing. An eligible who accepts a civil service appointment to an exempt waiver permanent position, not full time, and serves in such position continuously for a period of at least two years may request transfer to a regular full time position in accordance with the provisions of this rule.

A transfer request that remains on file in the office of the Civil Service Commission for a period of eighteen months without a vacancy occurring, to which employee can be transferred, shall be void; provided that an employee whose request for a transfer is so voided may again submit a second request for transfer to the same department in accordance with the provisions of this rule.

When an appointee has been transferred under this section, and his transfer, or new appointment, is terminated by the appointing officer during the probationary period, the Civil Service Commission may declare such appointee dismissed or may again consider him under the provisions of this section for transfer to a position of the same class under another appointing officer; provided that no appointee otherwise shall be entitled to more than one transfer under this section, for the same class of employment, except with the special permission of the Commission.

Transfers of "holdovers" may be as provided by Section 5 of Rule 26, and as provided by this Section 1 of this Rule 34, except that "holdover" while they are without employment in a permanent position,

and have actual status as such holdovers, may, subject to the later approval of the Civil Service Commission, make blanket request for transfer to the first vacancy occurring in another position of the same class in any department and under any appointing officer.

(Section amended July 9, 1959)



## RULE 34. TRANSFERS (Cont'd.)

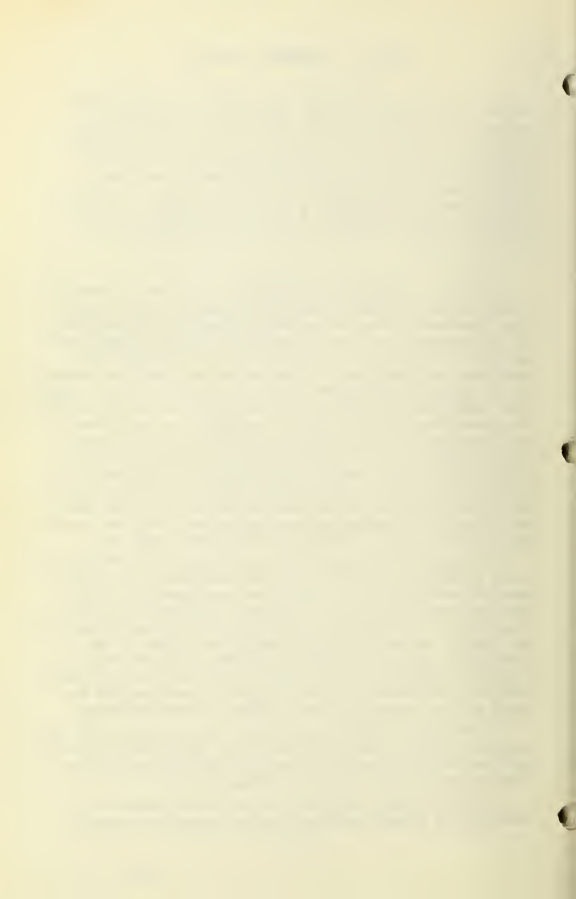
Section 1.1. PERMANENT APPOINTEES TO PERMANENT EXEMPT POSITIONS: When an appointee, occupying a permanent position exempt from civil service examination, who receives a salary above the entrance salary, desires to accept appointment to another position in the same classification in another department, such appointment to the second department, when made without a break in service, shall be deemed to be a transfer for the purpose of salary determination. (New Section adopted 8/5/65.)

Section 2. TRANSFER OF DISABLED: (a) When a permanent Civil Service employee, other than a member of the Police or Fire Departments, who has served not less than three years in his position, has become incapable through advanced age, accident or disability, of performing the duties of his position, the Civil Service Commission may, with the consent of the appointing officers involved, transfer him to a position within his capacities to perform, whether or not within the classification for which he qualified for appointment, but such position shall not be in a classification having a higher compensation schedule than the one from which he is transferred and his compensation shall not thereafter be increased beyond the maximum salary for the classification to which such employee is transferred, nor in any event shall his salary be increased to equal salary such employee would have received had he remained in his former position.

(b) Requests for Disability Transfer shall be submitted on forms provided by the Civil Service Commission, and shall bear the certificate of a physician appointed by the Civil Service Commission that the employee is incapable through disability, of performing the duties of his present position, but that he is capable of performing the duties of the position to which he requests transfer. When requests are properly completed and approved by the Civil Service Commission, the transfers shall be effected in order of the receipt of such requests at the offices of the Commission.

(c) Positions filled by disability transfer shall not be subject to salary standardization, but the salaries therefor shall be fixed by the Civil Service Commission within the limitations herein provided in subdivision (a).

(d) Any permanent employee who has become incapable of resuming his former position through disability incurred



RULE 34. TRANSFERS (Cont'd)

while on active service with the armed forces while on military leave, may upon application after his discharge from military service, be transferred under provisions of this section, regardless of his length of service. Such disabled employee shall submit competent proof of the fact that his disability was incurred while on such active duty.

(e) Employees transferred under the provisions of this section, upon recovery from the disability, and with the consent of the Civil Service Commission, may return to vacancies in their former classifications at rates of pay in conformity with the annual Salary Ordinance.

Section 3. TRANSFERS OCCASIONED BY REDUCTION OF FORCE DUE TO TECHNOLOGICAL ADVANCES, AUTOMATION OR THE INSTALLATION OF NEW EQUIPMENT: Permanent civil service employees who have completed their probationary period and who are subject to lay-off because of technological advances, automation or the installation of new equipment may request the Civil Service Commission for transfer to a position within their capacities to perform, whether or not within the classification for which they qualified for appointment. Such request for transfer shall be subject to the following:

(a) Request for transfer shall be submitted on special forms provided by the Civil Service Commission.

(b) The position to which transfer is requested shall not be to a classification having a higher compensation schedule than the one from which transfer is requested. Compensation in the position to which transfer is made shall thereafter be governed by the provisions of the Salary Standardization Ordinance and the Salary Ordinance.

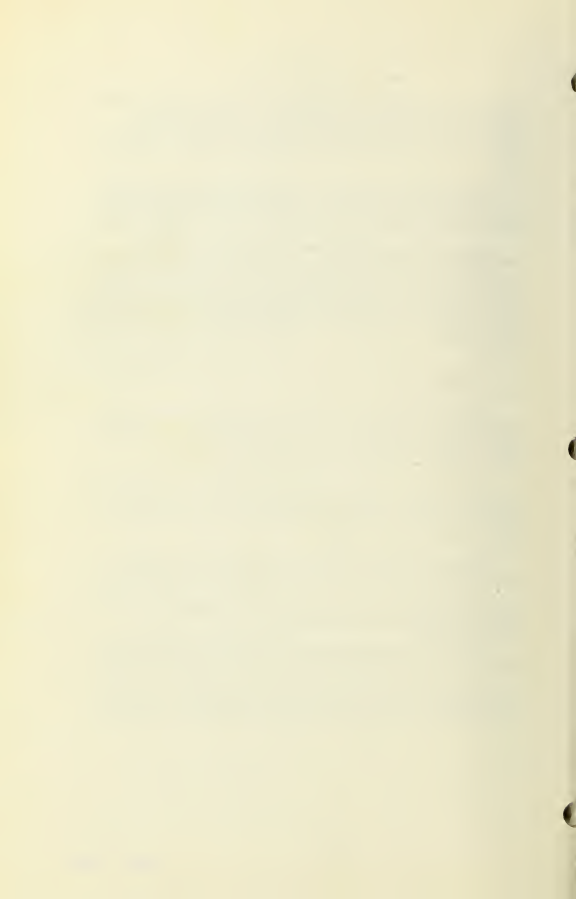
(c) The General Manager, Personnel, may administer any examinations which in his judgment are deemed advisable to test the capacity of the employee to perform the duties in the position to which transfer is requested, unless the transfer is to a position in the same classification or a closely related class.

(d) If an employee so transferred is not suited to the position, he may be given an opportunity for further transfer to another position within his capacities to perform. (New Paragraph adopted 4/29/65)

(e) In the event of lay-off of an appointee who occupies his position through transfer under the provisions of this section, such lay-off shall be in accordance with the provisions of Section 2, Rule 26, "Reduction in Force".

(f) Employees transferred under the provisions of this section may with the approval of the Civil Service Commission and the appointing officers involved be returned to a vacancy in the former classification.

(g) In the event that more than one approved transfer to the same classification is on file in the Civil Service Commission, preference shall be given to the appointee who has the longest service under civil





#### RULE 34. TRANSFERS (Cont'd)

service permanent appointment in his classification from which lay-off is to be made.

(h) An employee transferred under the provisions of this section shall be eligible to participate in promotional examinations from the classification to which appointed by transfer provided that he otherwise meets all of the requirements set forth in the promotive examination announcement.

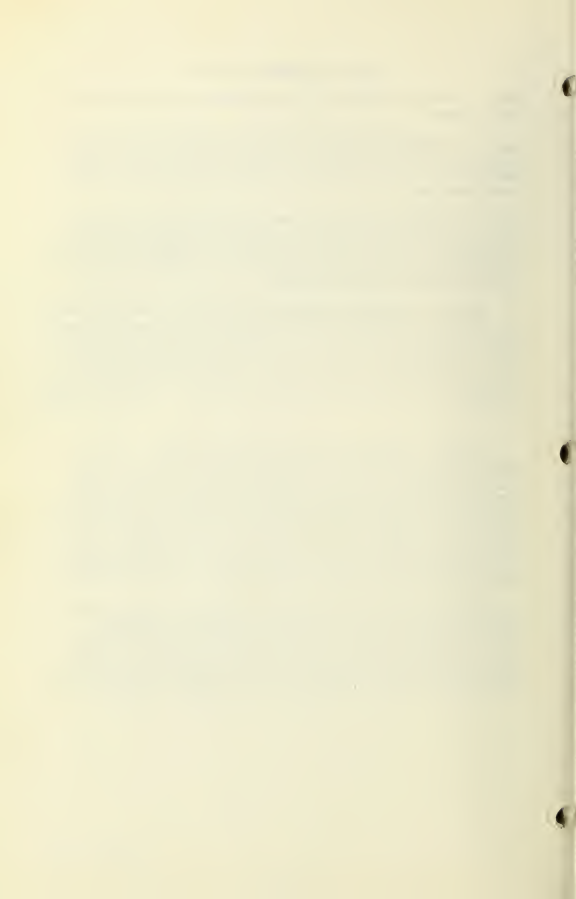
An employee transferred under the provisions of this section shall be eligible to participate in promotional examinations from the classification from which transfer was made for a period of five years from the date of such transfer provided that he otherwise meets all of the requirements set forth in the promotive examination announcement. (Section amended and adopted 6-13-63)

Section 4. TRANSFERS OCCASIONED BY THE TRANSFER OF FUNCTIONS FROM ONE DEPARTMENT TO ANOTHER: When in accordance with charter provisions, part of the functions and duties of any department are transferred to another department, the employees performing such functions and duties shall be transferred therewith, and such employees shall retain in their new department the same salary and civil service seniority status as they had in the department from which transferred. (Section 4 added 7-21-60)

Section 5. EXCHANGE TRAINING AND DEVELOPMENT PROGRAM: Employees holding permanent appointment in a regular civil service position under different appointing officers, may, upon their written request and with the approval of the appointing officers concerned and the Civil Service Commission or the General Manager, Personnel, thereof, be exchanged in positions in the respective departments for a period of not less than six months nor more than one year for training and development purposes; provided that the employees so exchanged must be permanent employees in the same class or in classes deemed by the Civil Service Commission or the General Manager, Personnel, to be closely related in duties and responsibilities, training and experience requirements; and further provided that such temporary training service may be terminated by either appointing officer at any time during such training period.

Employees so exchanged will remain on the permanent payroll of their regular department and time reports will be maintained in the second department and submitted to the original department for timekeeping purposes. Exchange assignments shall be recorded on employee history cards and employees shall be credited for the performance of the duties in the exchanged position. Employees temporarily assigned for training and development under this section of the rule will be considered as employees of the original department for any disciplinary action necessary under Section 154 of the Charter. (New Section adopted 6/30/66)

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#### RULE 35. SALARY INCREASE

An employee certified to permanent appointment or appointed to a permanent position exempt from civil service, shall enter the service under such appointment at the beginning step of the compensation schedule plan, unless otherwise specifically provided for in the Salary Standardization Ordinance. Employees under permanent civil service appointment shall receive salary adjustments through the steps of the compensation schedule plan by completion of actual paid service in total scheduled hours equivalent to one year (or six months).

Paid service for this purpose is herein defined as exclusive of any type of overtime but shall include military or educational leave without pay.

Advancement through the increment steps of the compensation schedules shall accrue and become due and payable on the first day of the next weekly timeroll reporting period, following completion of required service as a permanent appointee in the class. Provided that the above procedure for advancement to the compensation schedule increment steps is modified as follows:

An employee who during that portion of his anniversary year prior to January 1, 1969 is absent without pay for a period less than one-sixth of the time required to earn the next increment, will have such absence credited as if it were paid service for the purposes of calculating the date of the increment due during calendar year 1969.

An employee who during that portion of his anniversary year prior to January 1, 1969 is absent without pay for a period in excess of one-sixth of the time required to earn the next increment, will be credited with actual paid service prior to January 1, 1969. (Adopted E-26-68)



RULE 36. PART-TIME EMPLOYMENT OR ACTIVITY IN ADDITION TO FULL-TIME  
CIVIL SERVICE EMPLOYMENT.

1. CHARTER RESTRICTION: No officer or employee of the city and county shall engage in any activity, employment, business, professional work or enterprise which is inconsistent, incompatible, or in conflict with his duties as an officer or employee of the city and county or with the duties, functions and responsibilities of his appointing power, or the department, office or agency by which he is employed. Rules and regulations to effectuate the purposes and intent of the charter may provide restrictions against activities, employments and enterprises, when such restrictions are found necessary for the preservation of the honor or efficiency of the city and county civil service, or for the protection of the best interests of the city and county service in any respect. (CHARTER SECTION 222.)

2. ADDITIONAL PART-TIME EMPLOYMENT:

a) Except with the approval of the Civil Service Commission as herein provided, no person holding a full time position under permanent or temporary civil service appointment (other than officers and members of the Fire and Police Departments who are subject to the rules of their respective commissions) shall engage in any employment, position or service (hereinafter for purposes of this section referred to collectively as "employment") in or out of the service of the City and County of San Francisco in which he is required to perform any duties for another employer or appointing officer, and for which he is to receive any compensation in any form including salary, wage, fee, commission or emolument.

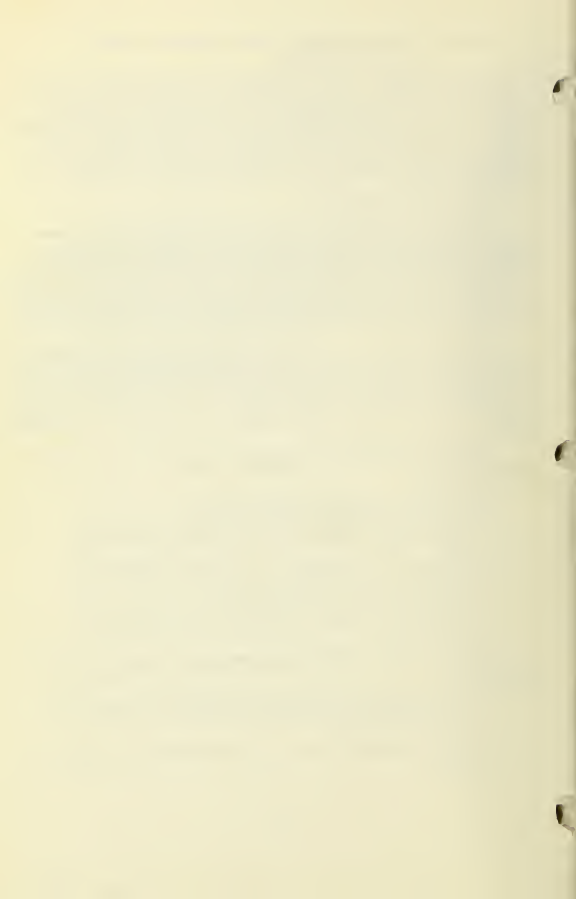
Employees who offer their services as independent contractors are not required to obtain approval of the Civil Service Commission under Section 2 of this rule but would be governed by the provisions of Section 3. An independent contractor is one who in rendering services for another is not under the control and direction of the other but is in the pursuit of an independent calling. For purposes of this rule, whether or not one is an independent contractor, may be determined by whether from income for the secondary activity, deductions are made for workmen's compensation, social security or unemployment insurance.

b) Approval of the Civil Service Commission in accordance with the provisions of this rule shall be requested on a form provided by the Commission. Such form shall include the following:

- 1) Approval of the employee's appointing officer.
- 2) A statement reporting the nature of the other part-time employment.
- 3) The usual place of such other employment and the work schedule and number of hours of service required of the employee per day and per week.
- 4) The signature of the official or person for whom or under whom the employment is to be performed, and a statement by such person that he understands that the employee is regularly employed in the city and county service on a full time basis.
- 5) A statement that approval, if granted, shall not be for more than six months, and if extension is desired, a new request form must be submitted.

c) Requests to engage in additional employment under the provisions of this rule will not be approved by the Civil Service Commission unless the following conditions are complied with:

- 1) That the employment will not impair the efficiency or interfere in any way with the full and proper performance of the employee in his regular civil service employment.
- 2) That the employment will not be in a field where substantial unemployment exists.



- 3) That reason exists such as economic need or other special reason for the employee to engage in such employment.
- 4) That the performance of such employment is in no way inconsistent, incompatible or in conflict with his civil service duties or responsibilities of his department or appointing officer.
- 5) That the performance of such employment would not be contrary to the interests of the city and county service generally or would not lead to situations which would reflect discredit on the city and county service.
- 6) That such employment will not require more than 20 hours per week nor more than 3 hours in any day, nor involve any duty whatsoever of the employee during his regular civil service work schedule. Exception to the limitation of 3 hours of employment on any day may be made by the Commission when the additional employment is for the purpose of accepting relief assignments in any emergency service of the city and county government, or when the Commission deems that other compelling reason exists for approval of an exception to the three hour limitation.
- 7) That the employment will not be in a hazardous occupation that would involve a substantial risk of injury to the employee. The Civil Service Commission will determine whether such employment is unduly hazardous and will be guided in its determination by the Manual of Rules, Classifications and Basic Rates for Workmen's Compensation Insurance as published by the California Inspection Rating Bureau.
- 8) That unless otherwise excused by the Civil Service Commission, the employee will appear before the Commission at the time his request is calendared to reply to any queries of the Commissioners concerning his request.
- 9) That the General Manager, Personnel, is authorized to review and to act upon any requests for the performance of additional part-time employment as an instructor or teacher in an educational institution.

### 3. ACTIVITIES OTHER THAN ADDITIONAL EMPLOYMENT, WHERE INCOME, PROFIT, OR OTHER GAIN IS OR MAY BE ACCRUED:

a) No officer or employee shall participate in any activity or enterprise where income, profit or other gain is, or may be accrued, which could reflect on the honor or efficiency of the city and county service, or which could be contrary to the best interests of the city and county service in any respect.

b) Appointing officers shall report to the Civil Service Commission those activities or enterprises which in accordance with the provisions of this section should be prohibited to specific classifications or positions or departmental units under their jurisdiction.

c) The Civil Service Commission shall calendar such report of the appointing officer for hearing and shall give notice of such hearing to parties of interest. If the report, or any part of the report of the appointing officer is approved by the Civil Service Commission, the appointing officer shall make such information concerning the approval by the Civil Service Commission known to each employee affected, and the engagement in any such activity or enterprise shall thereafter be prohibited.

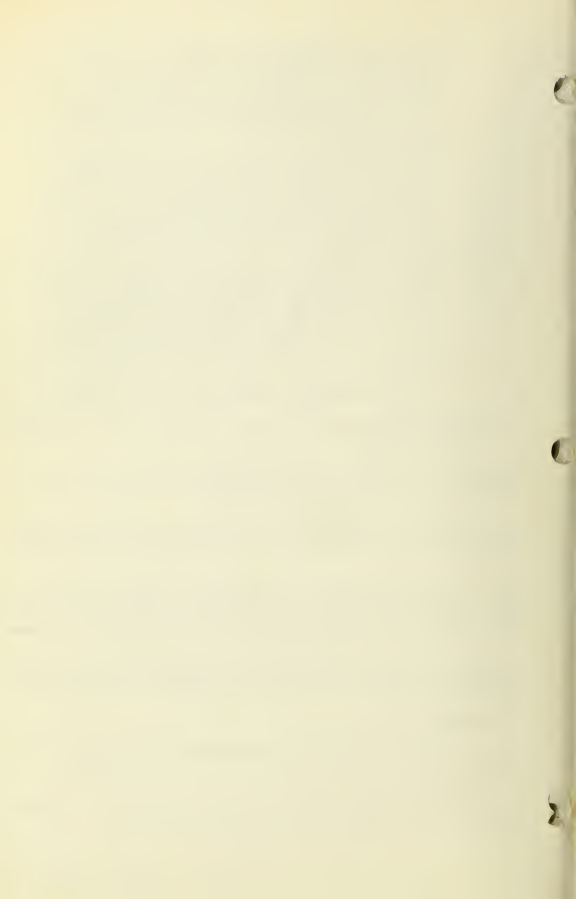
d) No employee shall be involved through secondary parties in the engagement of any activity or enterprise which he is prohibited from engaging in directly, nor in that connection shall he lend, convey or authorize the use of any information or resources under his control.

### 4. PENALTIES:

Violation of this rule shall be deemed insubordination and will subject the employee to disciplinary procedure as provided in Section 154 of the Charter.

### 5. Definitions:

The term "employee" when used in this rule means also "officer", and the term "position" means also "office". (Rule revised and adopted 1/29/68)





### RULE 37. PARTICIPATION IN POLITICS

Section 1. PROHIBITION OF POLITICAL ACTIVITY: Active participation in City and County politics, relative to the election or appointment of public officials, by Civil Service employees and eligibles of the City and County, is subversive of the best interests of the merit system, and therefore persons holding positions in the classified Civil Service or on eligible lists for such positions shall take no active part in such political campaigns, or in soliciting votes, or in levying, contributing or soliciting funds or support, in such case for the purpose of favoring or hindering the appointment or election of candidates for City and County offices. Violation of the provisions of this section shall be deemed an act of insubordination and considered good cause for suspension or dismissal from position or removal from eligible list. Sec. 157

Section 2. CANDIDACY FOR ELECTIVE OFFICE PROHIBITED: Any appointive Civil Service officer or Civil Service employee of the City and County who shall become a candidate for election by the people to any public office shall automatically forfeit such City and County office or position. (Sec. 157.) Secs

### RULE 38. DUTY OF APPOINTING OFFICERS

It is the duty of every appointing officer to make himself familiar with all the Civil Service provisions of the Charter and with all the provisions of the rules of the Civil Service Commission, and to comply promptly with those provisions. Failure to do so will retard the work of the Civil Service Commission and may cause loss of pay to employees or loss of work to eligibles. When in doubt regarding Civil Service procedure, an appointing officer should apply immediately to the Civil Service Commission for advice. (Sec. 141.)

### RULE 39. SERVICE RECORDS

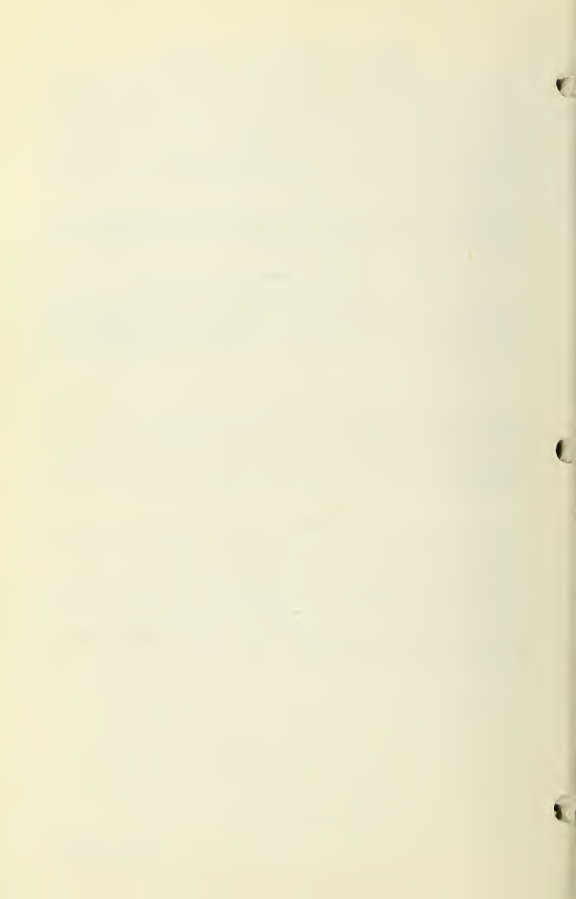
When a valid and workable method of securing records of service of civil service employees is perfected, the Civil Service Commission shall establish, in accordance with charter provision, an inspection service for the purpose of investigating the conduct and action of appointees in all positions and securing records of service for promotion and other purposes, pending which time appointing officers shall make a "Report of Performance of Probationary Appointee" which report shall be on a form provided by the Civil Service Commission and shall be filed with the Commission during the 5th month of such probationary period.

### RULE 40. PRESIDENT AND SECRETARY

Section 1. PRESIDENT: The Civil Service Commission shall appoint one of its members as President, to hold office under such appointment for a term, ending June 30 of each odd numbered year, or until a successor has been appointed.

Section 1a. VICE PRESIDENT: The Civil Service Commission shall appoint one of its members as Vice President, to hold office under such appointment for a term ending June 30 of each odd numbered year, or until a successor has been appointed.

Section 2. SECRETARY: The Civil Service Commission shall appoint a Secretary, who shall be the executive officer of the Commission and who shall hold office at the pleasure of the Commission. (Secs. 19 and 140.)



## RULE 41. REGULAR AND SPECIAL MEETINGS

Section 1. REGULAR MEETINGS: The Commission will meet in regular session in Room 282, City Hall, every Monday. The meeting shall convene at 4:00 o'clock P.M., provided, however, that in the interest of the proper conduct of public business, an earlier hour may be set for a special meeting, in which event the General Manager, Personnel, shall give due notice thereof similar to the announcement of a special meeting. A regular meeting shall not be closed or adjourned before 5:30 P.M.; however, nothing contained herein shall be construed as barring the Commission from recessing from time to time during the continuance of the meeting.

Communications requiring action by the Civil Service Commission and original petitions, or original requests for rulings, must be filed in writing in the office of the Commission before 12 o'clock noon Thursday, and when so filed, will be heard at the regular meeting to be held on Monday next following, provided, however, that the General Manager, Personnel, shall prepare a supplemental calendar of matters received up to 11:00 A.M., Monday, which in his judgment requires immediate attention of the Commission, and the Commission may hear such matters. Persons filing communications, petitions or requests shall, without further notice, be present at such hearings. No oral requests for ruling will be considered at a meeting. Communications not requiring action by the Civil Service Commission under these rules shall be processed by the General Manager, Personnel, as provided by these rules, and proper notations thereof shall be made on pertinent records. (Paragraphs 1 and 2 amended 8-31-67)

Request for reconsideration shall be filed in writing, specifying the reasons therefor, and must be received in the office of the Civil Service Commission not later than the thirtieth day after the date, as entered in the records of the Commission, of mailing of notification of the action of the Commission to the appellant; provided that a request for reconsideration of a Commission action dealing with protests concerning examination announcements, qualifications of applicants, tentative rating key answers or examination ratings will not be granted unless the request for reconsideration is filed in the office of the Civil Service Commission before 12 o'clock noon on the sixth calendar day following the action by the Commission. Notification of action of the Commission shall be mailed not later than the day following such action. If the reason for the request is that the petitioner desires to submit new information not previously considered by the Commission, the petition shall set forth such new information in detail. No oral arguments shall be heard in connection with the request for reconsideration. If the Commission shall deny the request for reconsideration, no further such request for reconsideration shall thereafter be considered by the Commission. (Section adopted as amended 3/5/64)

An employee who makes a petition which is denied by the General Manager, Personnel, under authority of these rules may within thirty days thereafter appeal such decision to the Civil Service Commission, and such appeal shall be deemed a request for reconsideration as provided by the rule. Such request for reconsideration shall be made in writing by the employee and shall be subject to the provisions of this rule.

Requests for ruling on moot questions or hypothetical questions will be filed without discussion or decision. (Section amended 7/25/63)

Section 2. SPECIAL MEETINGS: A special meeting of the Commission may be called by the President of the Commission, and must be called by the President upon written request of a majority of the members of the Commission. At least twenty-four hours' notice shall be given of the holding of a special meeting. No business shall be transacted at a special meeting except that for which the meeting is called.

Special meetings of the Commission for the purpose of considering and adopting examination questions shall not be open to the public. (Section 19.)



#### **RULE 42. AMENDMENT OF RULES AND OF CLASSIFICATIONS**

The Commission may, upon one week's notice, make changes in the rules, which changes shall thereupon be published, and be in force, provided that no such change in rules shall affect a case pending before the Commission. The classification of positions may be amended at any meeting. (Sec. 19.)

#### **RULE 43. SUSPENSION OF RULES**

Any rule of the Civil Service Commission may be suspended at a regular meeting of the Commission with the consent of the three Commissioners, provided that if one member of the Commission shall be absent on military leave granted and approved pursuant to charter provisions, or absent from the State on leave granted by the Board of Supervisors, or if a vacancy exists on the Commission, any such rule may be suspended at a regular meeting with the consent of the two remaining Commissioners. (Sec. 141.)

#### **RULE 44. CITY ATTORNEY'S OPINIONS**

Whenever, in the judgment of the Commission, it becomes necessary to secure the opinion of the City Attorney on any legal question, such opinion shall be requested to be in writing, and, when received, shall be entered in full on the minutes of the regular meeting held following such receipt. (Sec. 141.)



#### RULE 45. COURT ACTIONS

Whenever a suit or legal action is brought against the Commission the City Attorney shall be requested to defend the Commission, and, in the event of an adverse decision or judgment, shall carry the proceedings to the highest court for final decision unless otherwise ordered by the Civil Service Commission.

#### RULE 46. DEFINITION OF TERMS

The term "Appointing Officer" when used in these rules, shall mean the officer who has the appointing power in a department or of an organization unit of the City and County government, having the powers of a Department Head, as defined in Section 20 of the Charter.

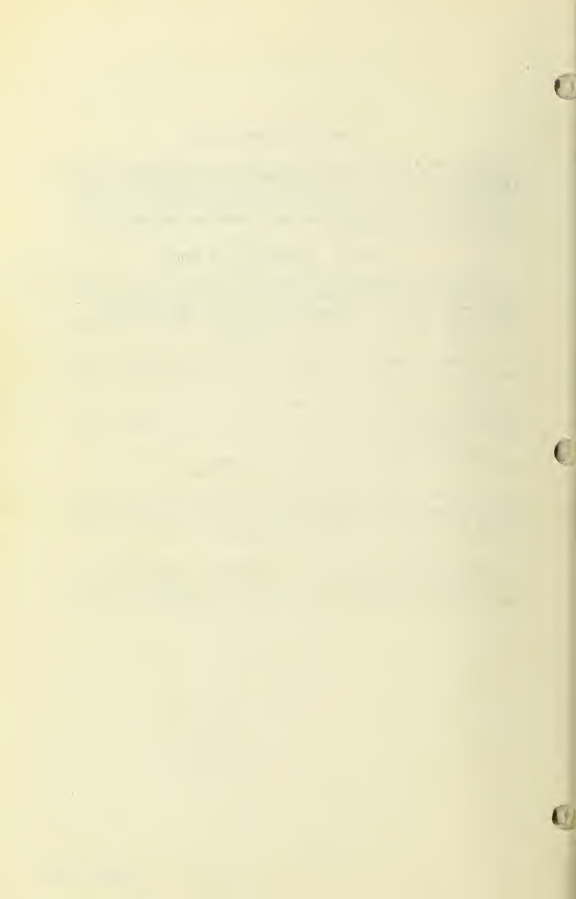
The term "Commission", when used in these rules, shall mean the Civil Service Commission of San Francisco.

Wherever in these rules the title "Personnel Director and Secretary" is used, the term shall mean "General Manager, Personnel."

The term "City and County", when used in these rules, shall mean the City and County of San Francisco.

The term "Department", when used in these rules, shall mean any department or organization unit of the City and County government, under a separate appointing officer as provided in Section 20 of the Charter.

Unless otherwise described or defined in any rule, the term "permanent appointment", when used in these rules, shall mean an appointment in which the probationary period has been completed (RULE AMENDED 7-9-59 AND 12-3-59)





## RULE 47. LIMITED TENURE APPOINTMENTS

Section 1. PROCEDURE: Whenever eligibles from regularly established lists are not available for appointment, the General Manager, Personnel, may qualify and certify applicants for limited tenure appointment in accordance with the provisions of Section 145.1 of the Charter or may authorize appointing officers to qualify applicants for limited tenure appointment in accordance with the provisions of Section 145.1 of the Charter and of this rule. The term "appointing officer", as used herein, shall mean the appointing officer or his designated representative.

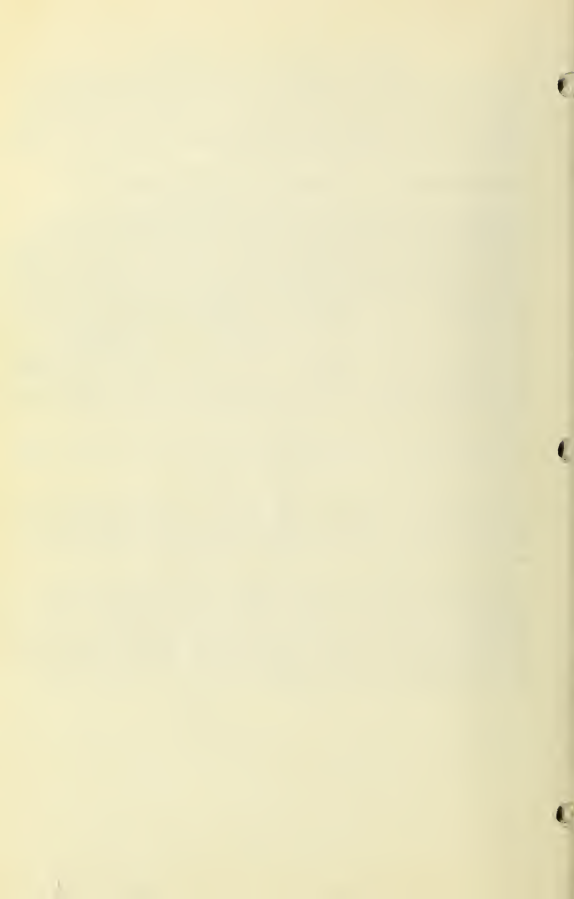
The following shall be the procedures when appointing officers are authorized to qualify and certify limited tenure appointees:

When an approved requisition filed in accordance with Rule 19 is received in the office of the Civil Service Commission and no regularly qualified eligible is available for appointment in response to such requisition, the Civil Service Commission will, in writing, so inform the appointing officer and will authorize the appointing officer to fill such requisition by limited tenure appointment. Public notice of such authorization to make a limited tenure appointment shall be posted on the official bulletin board of the Civil Service Commission. Any prior non-civil service appointment authorized on such requisition in accordance with Rule 24 shall terminate immediately upon certification of a limited tenure appointee but not later than ten days from the date of authorization of a limited tenure appointment; provided that with the approval of the General Manager, Personnel, such ten-day limitation may be extended at the written request of the appointing officer showing good reason for such extension. When limited tenure appointment is authorized, the appointing officer shall enter in the "Remarks" column of the timeroll opposite the name of the non-civil service appointee the date of such limited tenure appointment authorization and the date of any extensions of the non-civil service appointment if limited tenure appointment was not made within the ten-day time limit.

Upon receipt of authorization to fill a position through limited tenure appointment, the appointing officer shall do necessary recruiting and shall have the applicant or applicants complete the special limited tenure application form provided by the Civil Service Commission.

Limited tenure applicants must be citizens of the United States and unless residence has been waived, must meet residential requirements of the Residence Ordinance. Unless other minimum requirements have been issued by the General Manager, Personnel, applicants must meet the minimum qualifications of training and experience as established in the official class specification adopted by the Civil Service Commission.

If the vacancy is in an entrance classification, the limited tenure applicant shall be given an oral examination and/or other tests by the appointing officer and such examination(s) shall be adequate to test the capacity of the applicant to perform the duties of the position. The appointing officer shall also check with the office of the Civil Service Commission to ascertain that the applicant has not been previously rejected for city employment for medical or other reasons. The first applicant to be qualified for limited tenure appointment to the position to be filled shall be appointed, and no further applications for such positions shall be accepted by the appointing officer.



Section 1(a). Procedure when appointing officers are not authorized to qualify and certify limited tenure appointees:

When an approved requisition filed in accordance with Rule 19 is received in the office of the Civil Service Commission and no regularly qualified eligible is available for appointment in response to such requisition, recruitment of qualified applicants for limited tenure appointment shall be undertaken by the staff of the Civil Service Commission. Such recruitment shall be governed by the following procedures.

A. Entrance vacancies: Notification of vacancies in entrance classifications which may be filled by limited tenure appointment shall be posted on the bulletin board with a summary of the minimum qualifications of each classification involved. Posting, minimum qualifications, notification and certification shall be determined on the basis of whether or not the position is of a permanent or a temporary nature.

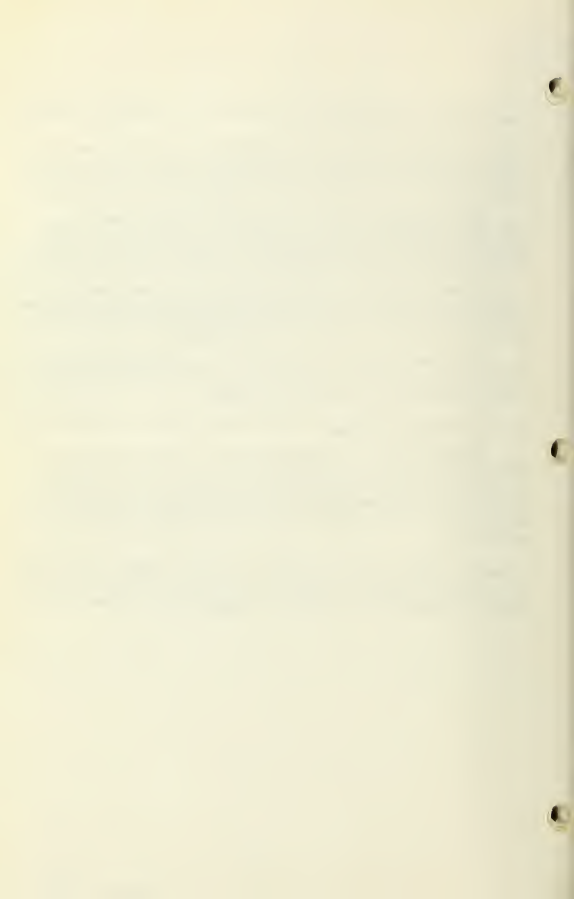
B. Permanent vacancies: The minimum qualifications for permanent limited tenure appointment shall be the same as those listed on the last regular examination announcement in the classification involved or the class specification unless other minimum qualifications are specified by the General Manager, Personnel. Preference for limited tenure appointment shall be given in the following order:

1. If an examination in the classification is in progress, applicants who have filed application and qualified for the examination and who may become eligibles on the regular civil service list - by priority of receipt of notice from such persons that they are interested in limited tenure appointment.

2. By priority determined by the General Manager, Personnel, in accordance with the policy of the City and County.

C. Temporary vacancies: The minimum qualifications for temporary limited tenure appointment shall be set in accordance with the policy of the City and County which will take into account dependency status, public assistance, length of unemployment, and other economic factors. The requirements shall contemplate the appointment of partially-qualified candidates wherein the limited tenure service would enhance their qualifications so that they might qualify for regular civil service examinations. Preference will be given to applicants on the basis of the above-stated policy and qualifications.

D. Limited tenure examinations may consist of appraisal of qualifications; rating of education, experience, and other applicable factors; oral interview, and corroborative material secured by the Commission. Only candidates with demonstrable potential to be successful employees in the classification involved will be considered for limited tenure appointment. (New Section 1(a) - adopted 5-13-68)



Section 2. RESIGNATION: Limited tenure appointees desiring to resign from their employment shall complete the special limited tenure resignation form provided by the Civil Service Commission. Any further limited tenure employment of an employee who has resigned shall be subject to the limited tenure examination and appointment procedures as provided in Section 1. (Amended 9/24/64)

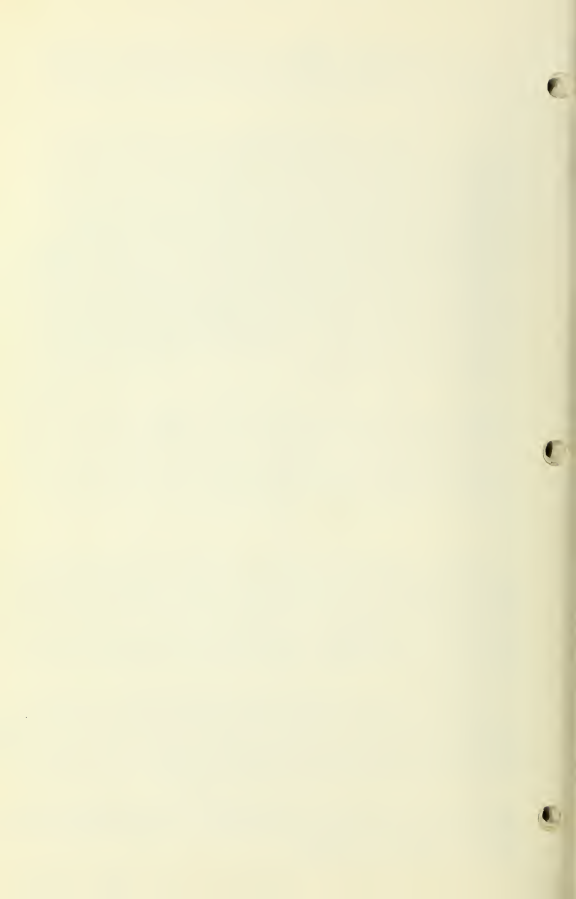
Section 3. LAY-OFF: When the lay-off of a limited tenure appointee is required, the limited tenure appointee with the least seniority in the class in the department shall be laid off first, provided that seniority of permanent and temporary limited tenure appointees shall be treated separately, and provided further that the seniority of temporary appointees shall be in accordance with the inverse order of rank in the class in the department, and provided further that the appointing officers in the Departments of Public Health, Public Works, Public Utilities, and Finance and Records may designate that lay-offs shall be by bureau or division within their respective departments. Except in the case of recertification on a requisition continuing a temporary appointment, further limited tenure employment of a limited tenure appointee who is laid off shall be subject to the limited tenure examination and appointment procedures as provided in Section 1. When a regular eligible list is adopted and a regular eligible is certified to replace a limited tenure appointee, the authorization for such limited tenure appointment shall be automatically cancelled, and the limited tenure appointee shall be automatically laid off, and no further authorization for limited tenure appointments in that class will be authorized as long as any eligible is available for appointment from the regular eligible list. (Amended 11/8/62)

Section 4. ABSENCES: Except for military leave or sick leave with or without pay, limited tenure appointees will not be granted formal leaves of absence. A leave of absence without pay for personal reasons shall not be approved for a period of more than two consecutive weeks. Appointing officers shall determine whether the absence of a limited tenure appointee is justified, or whether the appointment shall be terminated. If the appointment is not terminated, the appointee shall be shown on the time-roll as on personal leave without pay. Sick leave with or without pay or military leave shall be granted in accordance with the rules and procedures governing regular civil service appointees. (Sec. 4 amended 3-29-71)

Section 5. TERMINATION FOR CAUSE: Limited tenure appointments may be terminated by the appointing officer for good cause at any time, subject to approval of such termination by the Civil Service Commission. The appointing officer shall advise the Commission of the termination of limited tenure appointees for cause and state the reasons for such termination. The Commission shall make such order as it deems just and proper in the circumstances. The termination of a limited tenure appointment by the appointing officer for good cause shall be without reference to the procedures governing removals set forth in Section 154 of the Charter.

Section 6. EXPERIENCE GAINED UNDER LIMITED TENURE APPOINTMENT: No person holding a limited tenure appointment shall acquire any right to permanency in the position held under such appointment, but satisfactory service under a limited tenure appointment will be accepted toward minimum experience required for admission to a regular civil service examination when the experience under such limited tenure appointment is deemed acceptable by the Civil Service Commission.

Section 7. A regular civil service employee who accepted limited tenure promotive appointment shall be reinstated to his regular civil service status upon lay-off, termination or resignation from such limited tenure promotive appointment. (Rule 47 amended Min. 7-5-62.)



Section 8. Residence requirements for limited tenure (and non-civil service) appointments shall be the same as for regular civil service examinations as provided in the Charter and the Administrative Code. Residence requirements for entrance limited tenure examinations (and non-civil service appointments) shall be those established for the last regular civil service examination in the classification involved. If residence requirements were waived for the last regular examination then residence requirements for limited tenure examinations in the same classification shall be the same unless it appears that a sufficient number of qualified resident applicants are available, in which case residence shall be required. If residence requirements were not waived for the last regular civil service examination but it appears that a sufficient number of qualified resident applicants are not available upon routine notification of vacancies in the classification, then the Civil Service Commission or the General Manager, Personnel, may declare that residence requirements are waived pursuant to Section 16.98 of the Administrative Code.  
(Section 8. Amended 3-25-68)





If the vacancy is in a promotive classification, the Civil Service Commission will authorize limited tenure appointment from designated next lower rank(s), as herein provided, and the appointing officer shall appoint the employee with the highest seniority in the department in such next lower rank(s) who meets minimum requirements of training and experience as indicated above, and who will accept such appointment.

Pending the official issuance of a regular promotional examination announcement, the next lower rank or ranks shall be those classes listed in the official class specification for such promotive class under "Promotive Lines-From", and those classes listed in other official class specifications as next lower ranks to such promotive class under "Promotive Lines-To", provided that if the classifications so listed in the official class specification(s) do not provide candidates who meet the training and experience requirements of the class specifications or otherwise do not provide candidates, or for other good and valid reasons which he deems to be in the best interest of the service, the General Manager, Personnel, may designate other classifications as next lower ranks. (8th Paragraph amended 12/18/67)

Upon the official issuance of a regular promotional examination announcement, and pending the adoption of the eligible list, the next lower ranks as stated on the announcement shall govern in limited tenure promotional appointments.

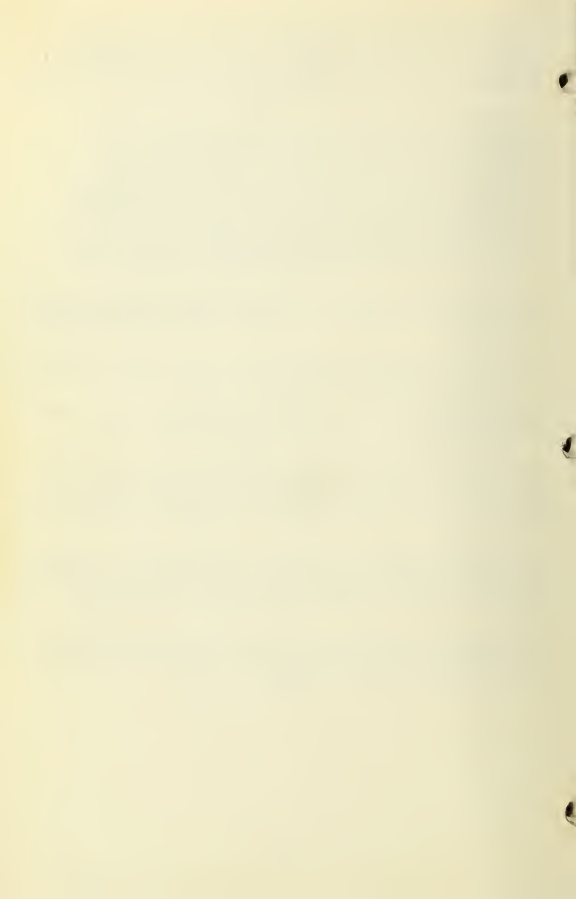
Limited tenure promotional appointments properly effective need not be disturbed by any subsequent amendment to the official class specification or the regular examination announcement.

The appointing officer shall complete the following forms to be provided by the Civil Service Commission: (1) The special certification to limited tenure form; and (2) the limited tenure employment history card. (Amended 10-6-66)

If the limited tenure appointment is temporary or is to a promotional position, the appointing officer shall forward the completed certification and history card forms to the Civil Service Commission for entry on civil service records. A temporary limited tenure appointee to an entrance position who continues in such appointment for a period in excess of five months shall be referred to the Civil Service Commission for medical examination.

If the limited tenure appointment is to a permanent entrance position, the limited tenure appointee shall present the certification and history card forms to the Civil Service Commission office in person for the purpose of referral for medical examination and fingerprinting. Limited tenure appointment to permanent entrance positions shall be subject to the appointee's passing a satisfactory medical examination and fingerprint check.

Limited tenure applications shall be retained by the department, and such applications and all records pertaining to limited tenure appointments shall be maintained so as to be readily available for audit at any time by the staff of the Civil Service Commission.



CIVIL SERVICE COMMISSION OF SAN FRANCISCO

151 City Hall

February 11, 1970

To: Appointing Officers  
Department Heads  
Employee Organizations

Subject: TENURE OF LIMITED TENURE APPOINTMENTS.

The Civil Service Commission has ordered a change in policy regarding limited tenure appointments made under authority of the Charter and Civil Service Rule 47. This new policy adopted by the Commission on February 9, 1970, is effective immediately.

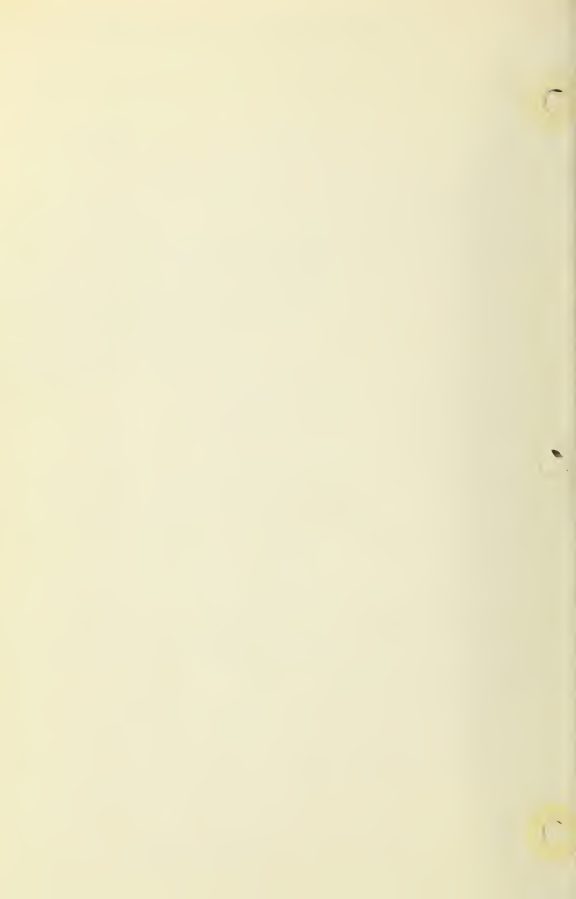
All positions filled under limited tenure authorization, whether permanent or from temporary or permanent salary appropriation, are deemed to be temporary in nature. Beginning this date, permanent limited tenure appointments will no longer be certified or approved by the Civil Service Commission.

Permanent requisitions submitted to fill vacancies in permanent positions will be assigned a temporary requisition number for limited tenure certification purposes.

The status of permanent limited tenure certifications and appointments made prior to this date are not to be affected by this action.

CIVIL SERVICE COMMISSION

*George J. Gaubb*  
George J. Gaubb  
General Manager, Personnel



#### **RULE 48. SIMILAR PROMOTIONAL EXAMINATIONS**

**Section 1. RULES GOVERNING "SIMILAR" PROMOTIONAL EXAMINATIONS:** In accordance with Section 146.1 of the Charter, similar promotional examinations shall be administered in accordance with established rules and procedures governing promotional examinations, except as otherwise provided in this rule.

**Section 2. MARKING AND GRADING PAPERS:** The examination papers in a similar promotional examination shall be marked and graded in accordance with the methods and procedures used in marking and grading the original promotional examination.

**Section 3. VETERAN'S PREFERENCE:** Applicants participating in a similar promotional examination shall not be granted veteran's preference for military service when such military service was the service through which the applicant gained the right to participate in the similar promotional examination.

**Section 4. CITY AND COUNTY SERVICE AND ASCERTAINED MERIT:** An applicant participating in a similar promotional examination shall not be granted credit for city and county service, or credit or demerit for ascertained merit for any time subsequent to the official beginning date as announced in the scope-circular for the original promotional examination.

**Section 5. POSTING OF TENTATIVE LIST:** A tentative list of the participants in a similar promotional examination who obtained a rating equal to or more than the minimum passing mark established by the Civil Service Commission in the original promotional examination shall be posted in the office of the Civil Service Commission for a period of two weeks, during which time such participants may inspect their own examination papers in accordance with the provisions of Rule 12, Section 2-B. Such tentative list shall show the tentative ranking of the participants upon the eligible list resulting from the original promotional examination.

**Section 6. ESTABLISHMENT OF ELIGIBILITY:** Upon the final approval of the tentative list by the Civil Service Commission, the names of such participants shall thereupon be entered on the eligible list resulting from the original promotional examination in accordance with the relative excellence obtained by all of the qualified participants in the original and similar promotional examination.

#### **RULE 49. JOINT EXAMINATIONS**

Upon approval of the Civil Service Commission of an agreement entered into with one or more public agencies to administer a civil service examination jointly with such other public agencies, the Personnel Director and Secretary is authorized to take necessary action, in accordance with the examination announcement approved by the Civil Service Commission, to make the holding of such joint examinations possible, and except as authorized, such action shall be within the provisions of the established rules and procedures of the Civil Service Commission.



RULE 50. PERSONNEL ACTIONS TO BE ENTERED ON EMPLOYEE'S SERVICE RECORDS WITHOUT FORMAL COMMISSION APPROVAL.

The following reports of personnel transactions submitted by appointing officers or requests from employees made to the Civil Service Commission shall not require formal commission approval, but shall be directly recorded on the service records of the employees:

1. Notification from Retirement System of retirement of employee by reason of service or disability.
2. Report of death of an employee.
3. Notification from Retirement Board that employee has been granted permission to live outside of geographic limits within which city employees must live in accordance with the residential requirements.
4. Entry into military service and separation from military service documents when presented by employee or eligible.
5. Request of an eligible that his name be removed from an eligible list.
6. Communications from appointing officers reporting assignments of employees from full time to less than full time positions, and from less than full time to full time positions in accordance with the rules of the Commission. (No. 6 added - 2-3-69) (Rule 51, 52 and 53 deleted 10-28-68 - incorporated in new Rule 50)

RULE 54. SUSPENSIONS WHEN NOT REVIEWABLE BY THE CIVIL SERVICE COMMISSION.

Suspensions for periods, not exceeding thirty days for disciplinary purposes, when imposed by appointing officers as provided in Section 154 of the Charter, shall be recorded on the service records concerned when reported by the appointing officer.

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RULE 55. TRANSPORT WORKERS UNION SAN FRANCISCO  
MUNICIPAL RAILWAY TRUST FUND.

Section 1. CHARTER PROVISION.

a) Section 151.3.1 of the Charter provides for the establishment of a fund to receive and to administer that money which represents the dollar value difference between vacation, retirement and health service benefits provided by charter for platform employees, coach or bus operators of the Municipal Railway (hereinafter referred to as "Operators"), when such benefits are less than those provided in the two other street railway and bus systems used for the determination of wage schedules for operators of the Municipal Railway.

b) The Civil Service Commission is mandated to adopt rules subject to approval by the Board of Supervisors by ordinance, for the establishment and general administration of the fund. Such rules must provide for a joint administration of the fund by representatives of the city and county government, including representatives of the Public Utilities Commission, and representatives of the organized operators.

c) The charter further states that such rules may provide a procedure for final and binding arbitration of the disputes which may arise between representatives of the city and county government and the representatives of the organized Operators.

d) The charter further requires that the rules provide that all investments of the fund shall be of the character legal for insurance companies in California.

Section 2. DETERMINATION OF DOLLAR VALUE OF DIFFERENCES IN BENEFITS.

a) The dollar value difference between vacation, retirement and health service benefits provided by charter for Operators of the Municipal Railway, when such benefits are less than those provided in the two other street railway and bus systems used for the establishment of wage schedules for operators of the Municipal Railway, shall be determined by the Civil Service Commission after consultation with Local 250A, Transport Workers Union, (or the employee organization having exclusive group representational rights before the Public Utilities Commission), and shall be included in the Salary Standardization Ordinance adopted pursuant to the provisions of Section 151.3.1 of the Charter.

b) The procedure for payment of monies due to the Fund in accordance with charter authority and the provisions of this rule shall be established by the Controller.

Section 3. ESTABLISHMENT OF TRUST FUND.

In accordance with the authority of Charter Section 151.3.1, there is hereby established a Transport Workers Union San Francisco Municipal Railway Trust Fund (hereinafter, for the purpose of this rule, to be referred to as the "Trust Fund"), to be administered as hereinafter set forth.

Section 4. BOARD OF TRUSTEES.

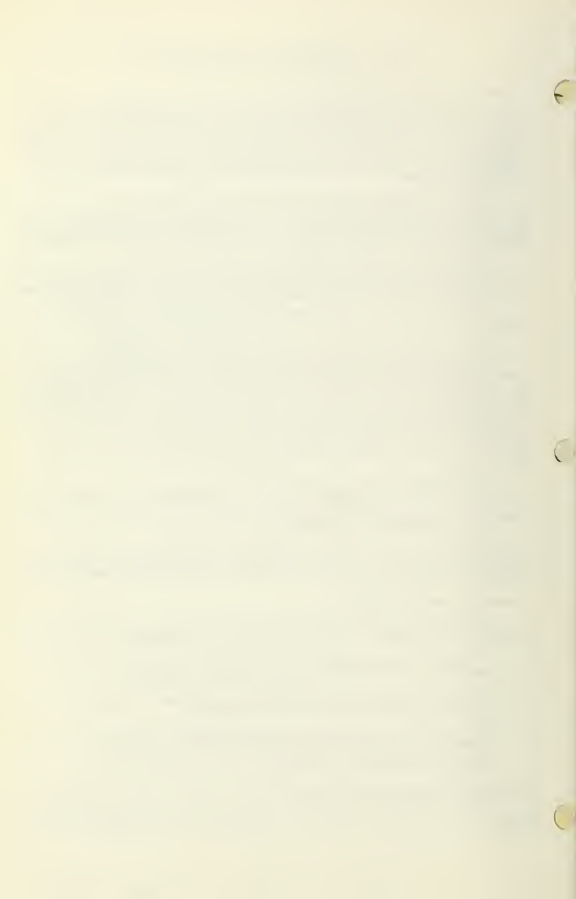
a) The Trust Fund shall be administered by a Board of Trustees (hereinafter referred to as "The Board"), of six members to be selected as follows:

Two Trustees to be appointed by the Public Utilities Commission who shall serve at the pleasure of the Public Utilities Commission.

One Trustee to be appointed by the Civil Service Commission who shall serve at the pleasure of the Civil Service Commission.

Three Trustees to be appointed by Local 250A, Transport Workers Union of America, (or the employee organization having exclusive group representational rights before the Public Utilities Commission), who shall serve at the pleasure of the Union.

The appointing authority may also appoint and at its pleasure remove one alternate for each Trustee to serve when Trustees are not available to attend meetings of the Board. An alternate when serving in the place of a Trustee, shall have full power to act as a Trustee.



b) Members of the Board and their alternates shall serve until such time as they separate themselves or are removed from their appointment. If a trustee position is vacated, his alternate shall serve in his stead until a successor is designated by the appropriate designating authority.

c) The Board shall elect one member as president and one member as vice-president, and shall establish their terms of office; provided, however, that a member appointed by Management (Public Utilities Commission or Civil Service Commission), and a member appointed by the Employees (Transport Workers Union) shall alternate terms in each such office and that a member appointed by Management shall serve as vice-president during the term in which a member appointed by the Employees holds office as president, and vice versa.

d) Actions of the Board shall be by majority vote of all of the Trustees.

e) Trustees who are employees of the city and county shall be authorized to attend meetings of the Board held during regular working hours of the employee without loss of pay.

f) No Trustee shall receive payment or emolument of any kind for his services, but, may be reimbursed from the Trust Fund for all reasonable expenses incurred in the performance of his duties as Trustee.

#### Section 5. POWERS AND DUTIES OF BOARD OF TRUSTEES.

The Board shall have the power and it shall be its duty to:

a) Establish by rule the detailed procedure for the receipt of monies to the Trust Fund and for the administration of the Trust Fund, which shall include a provision that all investments of the Trust Fund shall be of the character legal for insurance companies in California.

b) Appoint an administrator or secretary of the Trust Fund who shall be the Executive Officer and Secretary of the Board, and whose duties and responsibilities shall be set forth by the Board and who shall serve at the pleasure of the Board.

c) Establish such other positions as in the judgement of the Board may be required to man the office of the Trust Fund, and to make appointments to such positions.

d) Provide for the bonding of the Trustees, the Administrator, and such other employees of the Trust Fund as in the judgement of the Board should be bonded.

e) Select a location for quarters for the Trust Fund, and to provide for the equipment of such office.

f) Provide for the costs of administration of the Trust Fund including the salaries of all employees and the costs involved in the purchase, leasing or rental, and the equipment of quarters.

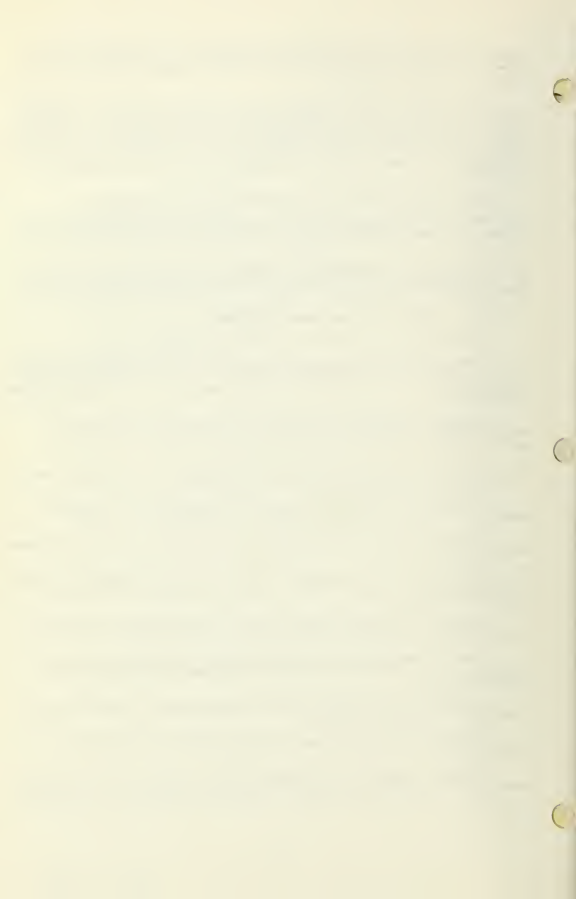
g) Establish the types of benefits that shall be made available to the Operators, and the procedures and methods for the disbursement of such benefits.

h) Establish procedures for the investment of funds within the restrictions herein provided, which procedures may provide for the employment of the services of an investment counsel.

i) Provide for the retention of legal or actuarial counsel, when such assistance is deemed by the Board to be required.

j) Establish accounting procedures to properly account for the administration of the Trust Fund.

k) Prepare an annual report to the Public Utilities Commission and to the officers and members of Local 250A of the Transport Workers Union of America, (or to the employee



organization having exclusive group representational rights before the Public Utilities Commission), which report shall include a summary of the income, investments, disbursements, and administrative expenses of the Fund.

#### Section 6. VESTED RIGHTS.

Neither the City and County of San Francisco, nor the Union, nor the individual operators shall have any vested rights in or to the Trust Fund or any part thereof except the right of the qualified operators, or their dependents, or their beneficiaries or next of kin, to receive the benefits provided for in the Plan to which they may be respectively entitled.

#### Section 7. PROTECTION OF TRUSTEES.

a) Neither the Trustees nor any individual or successor Trustee shall be personally answerable or personally liable for any liabilities or debts of the Trust Fund contracted by them as such Trustees, or for the non-fulfillment of contracts, but the same shall be paid out of the Trust Fund and the Trust Fund is hereby charged with a first lien in favor of each of such Trustees for his security and indemnification for any amounts paid out by such Trustee for any such liability and for his security and indemnification against any liability of any kind which the Trustees or any of them may incur hereunder; provided, however, that nothing herein shall exempt any Trustee from liability arising out of his own wilful misconduct or bad faith, or entitle such Trustee to indemnification for any amounts paid or incurred as a result thereof.

b) The Trustees and each individual Trustee shall not be liable for any error of judgement or for any loss arising out of any act or omission in the execution of the Trust Fund, so long as they act in good faith; nor shall any Trustee, in the absence of his own wilful misconduct or bad faith, be personally liable for the acts or omissions (whether performed at the request of the Trustees or not) of any other trustee, or any employee, agent or attorney elected or appointed by or acting for the Trustees.

c) The costs and expenses of any action, suit or proceeding brought by or against the Trustees or any of them (including counsel fees) shall be paid from the Trust Fund, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such Trustee was acting in bad faith in the performance of his duties hereunder.

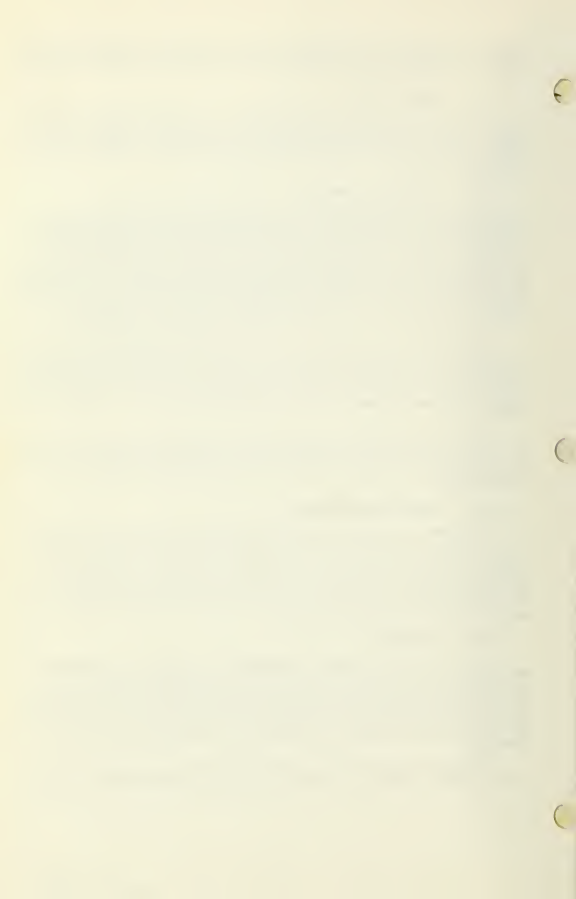
#### Section 8. MEDIATION AND ARBITRATION.

In the event of a dispute on any matter before the Board for action, the Board may, by affirmative vote of three members, refer the matter to mediation or to arbitration. The Board shall provide the procedure for the mediation of any dispute. If a matter is referred to arbitration, then the Board shall attempt to agree on the selection of an impartial arbitrator. If an impartial arbitrator cannot be agreed upon within 48 hours, then an arbitrator designated by the American Arbitration Association shall hear and determine the issue. The written decision of the arbitrator shall be final and binding upon the Board.

#### Section 9. AUDIT REPORT.

The Trust Fund shall be audited semi-annually by an auditor to be designated by the Controller of the City and County. The auditor's report shall be made to the Board of Supervisors, with copies to Local 250A, Transport Workers Union of America (or to the employee organization having exclusive group representational rights before the Public Utilities Commission), the Public Utilities Commission, the Civil Service Commission, and the Controller, and the cost of such audit report shall be paid for by the City and County from funds to be appropriated for such purpose by the Board of Supervisors.

The Board of Trustees and Local 250A of the Transport Workers Union of America (or to the employee organization having exclusive group representational rights before



the Public Utilities Commission), may each, at its respective option whenever deemed desirable, arrange for an additional independent audit of the Trust Fund by a qualified auditor of its choice, the expense of which shall be borne by the Trust Fund when ordered by the Trustees and by Local 250A, Transport Workers Union of America (or to the employee organization having exclusive group representational rights before the Public Utilities Commission), when ordered by the Union. (Approved Resolution 108-68-Board of Supervisors - 5-1-68. Effective Date: July 1, 1968)





## RULE 56 - EMPLOYEE RELATIONS - GRIEVANCE PROCEDURE

### SECTION I. PROGRAM SCOPE AND PRINCIPLES.

A. These rules and regulations are promulgated in order to improve employer-employee relations and are designed to permit any employee and/or his representative as herein provided, a procedural method by which any grievance, as defined in Section II, may be resolved in an expeditious and orderly manner.

### SECTION II. DEFINITIONS.

A. Grievance. A grievance shall be considered as any dispute, complaint, problem, issue or question arising with respect to conditions of employment or employer-employee relations of any nature or kind whatsoever within the authority of an appointing officer to act, and may be raised by an employee as to his specific grievance, by his representative as herein provided, or by an employee organization as to general matters. In the event of a dispute as to "authority of an appointing officer to act", the appointing officer shall request the advice of the City Attorney who shall respond within ten working days. The appointing officer shall provide a copy of the City Attorney's opinion to the grievant.

B. Employee. Any City and County employee in the service, regardless of status.

C. Immediate Supervisor. The individual who immediately assigns, reviews or directs the work of an employee.

D. Intermediate Supervisor. Next highest supervisor to be based on the organizational pattern of the department as determined by the appointing officer.

E. Appointing Authority. The head of the department having the lawful power to make appointments or to remove persons from positions in the City and County service.

F. Representative. A labor or employee organization and/or individual who appears at the request of and on behalf of the employee(s). Representation shall be limited to three such designated representative(s), provided that the limitation shall not apply to the use of witnesses. Such representation is permissible at any step in the procedure.

G. Witness. Any person whom the grievant wishes to appear to assist him in establishing the facts of his grievance.

### SECTION III. GRIEVANCE PROCEDURE.

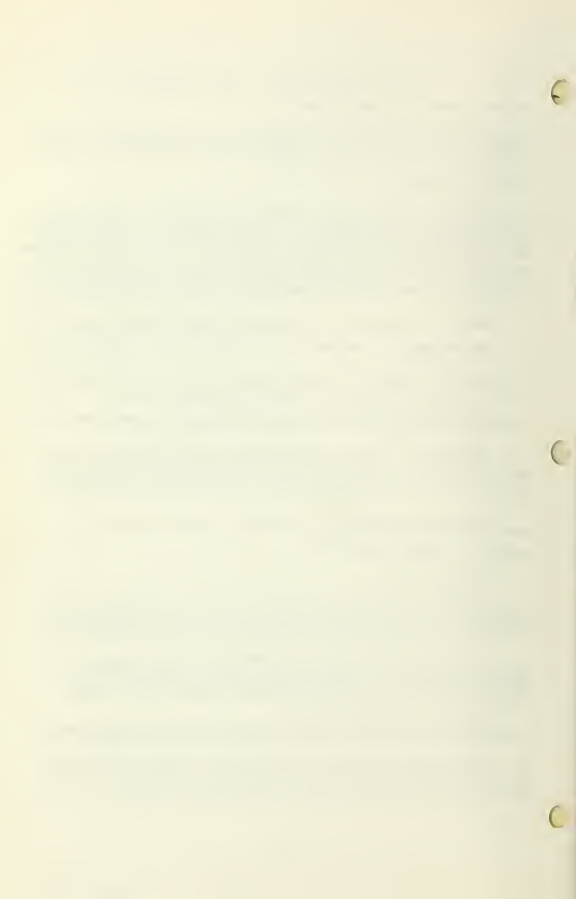
#### A. General Provisions:

1. Appointing officers shall prepare reasonable rules or regulations concerning employee representative's contacts with employees on City and County facilities during working hours. Such rules or regulations shall be written in such a manner as not to hinder or impair the implementation of the grievance procedure as provided by this rule.

2. The steps in the procedure set forth herein shall be followed unless it is agreed by the appropriate supervisor and the grievant that the grievance should be started at Step 3 or Step 4. In large departments made up of divisions, bureaus, sections or institutions, the additional intermediate supervisor shall be included regularly as a part of the procedural steps.

The appointing officer and the grievant may agree that in any particular case one additional intermediate supervisor should be added to the procedural steps listed below.

3. If the supervisor or appointing officer fails to respond within the required time limits, the grievant may then present the grievance in writing to the next higher step. If the grievant fails to present the grievance to the next higher step within the required time limits, then the grievance will be considered to be solved.



4. The time limits set forth in this grievance procedure may be extended by mutual agreement by the appointing officer and the grievant.

B. Step 1 - Immediate Supervisor (Oral)

a) The employee and/or his representative if requested by the employee shall explain, orally, the grievance to the employee's immediate supervisor, if the grievance starts at Step 1.

b) The supervisor shall reach a decision and communicate it orally to the employee and/or his representative within four working days of his being told of the grievance.

C. Step 2 - Immediate Supervisor.

a) If the employee is not satisfied with the decision rendered, he, and/or his representative shall submit the grievance in writing within seven working days to the immediate supervisor on the employee grievance form.

b) The immediate supervisor shall notify the employee and/or his representative, either orally or in writing, of his decision and the reasons, depending on how the grievance was presented, within five working days from the date of presentation of the grievance. If in writing, it shall be on the employee grievance form.

D. Step 3 - Intermediate Supervisor.

a) If the grievance is not resolved in the second step, the employee and/or his representative shall use the employee grievance form to submit the grievance in writing to the employee's intermediate supervisor as defined in Section II. A grievance will be considered to be resolved unless the grievance is filed with the intermediate supervisor not later than seven working days after the date the decision was returned to the employee by his immediate supervisor.

b) After review and discussion, the intermediate supervisor shall use the employee grievance form to notify the employee in writing of his decision and the reasons. This form shall be returned to the employee within seven working days of receipt of the complaint.

E. Step 4 - Appointing Officer.

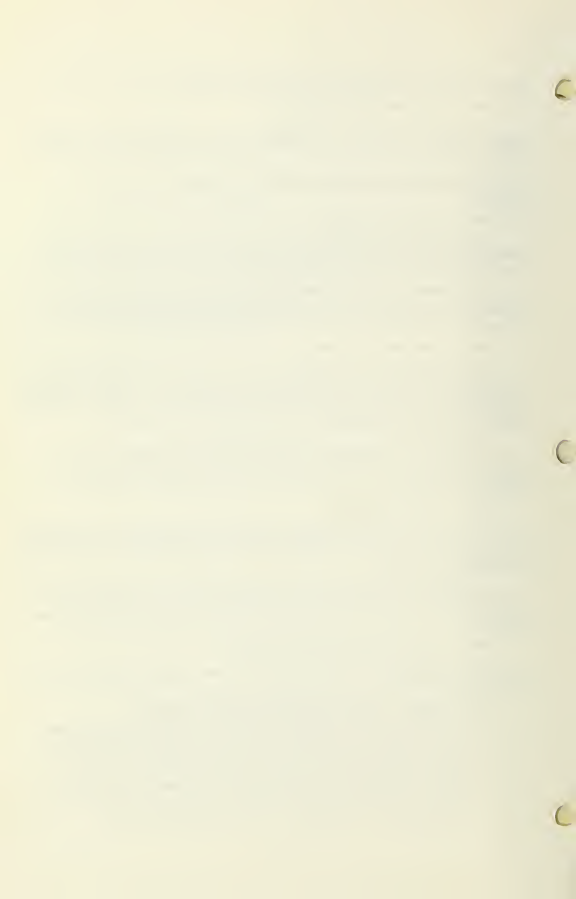
a) If the grievance is not resolved in Step 3, the employee and/or his representative, shall use the same employee grievance form to submit the grievance to the appointing officer within seven working days after the date of notification of the decision by the intermediate supervisor.

b) After review and discussion with all involved parties, the appointing officer shall use the grievance form to notify the employee of his decision and the reasons. This form shall be returned to the employee within seven working days of receipt of the grievance.

F. Step 5 - Employee Grievance Appeals Committee.

a) When needed, there shall be an employee grievance appeals committee which will be established as follows:

- 1) An employee selected by the appointing officer concerned.
- 2) An employee or other representative selected by the grievant.
- 3) An impartial person selected by the above two persons to act as chairman of the committee, or if they fail to agree on such a third person, then within seven working days from the date of the receipt of the grievance by the appeals committee, the California Conciliation Service, the American Arbitration Association, or such other group as may be agreed to, shall be requested to submit a panel of five names. The members of the committee selected by the appointing officer and by the grievant shall alternate in striking one name from the panel. The name remaining shall be the person to serve as the chairman of the



committee. The cost of the services of the impartial person shall be borne equally by the employee and the department. In the event that the employee does not desire to share in the cost of the impartial person, then the decision of the appointing officer under Step 4 shall be final.

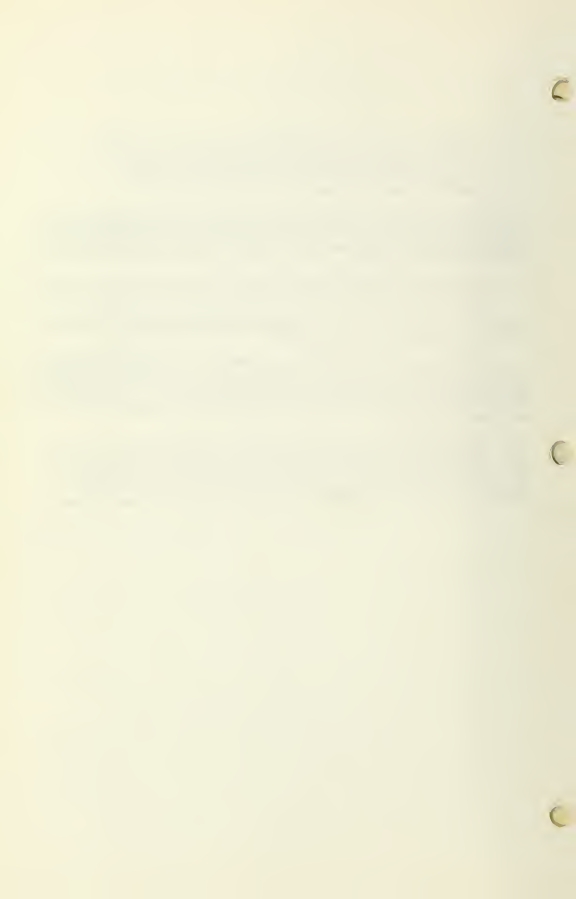
b) If the grievance is not resolved in the fourth step, the employee and/or his representative shall submit the same employee grievance form to the appointing officer within seven working days of the receipt of the appointing officer's decision, for immediate forwarding to the chairman of the employee grievance appeals committee when established as herein provided.

c) The employee grievance appeals committee shall study the record of the case and shall hold an informal hearing.

d) The committee shall notify the appointing officer, the grievant and/or his representative, in writing, of its recommendation within seven working days from the date of the conclusion of the formal hearing.

e) Upon receipt of the committee's recommendation, the appointing officer shall make a final decision in the matter and notify in writing all parties concerned within five working days of receipt of the committee's recommendation. If the appointing officer does not accept the committee's recommendation, he shall fully set forth in writing his reasons for such non-acceptance, a copy of which shall be sent to the Civil Service Commission.

G. Where an organized group of employees, who have exclusive recognition for a group of employees within a department, have signed a written memorandum of agreement with a board, commission or appointing officer, providing for a group grievance procedure, then such group grievances will be in accord with the written memorandum of agreement and not with the procedures set forth herein. A copy of such written memorandum of agreement shall be filed in the office of the Civil Service Commission.



RULE 57 - APPRENTICESHIP PROGRAM

Section 1. PURPOSE AND POLICY: The Civil Service Commission declares it to be its purpose and policy to establish an organized planned system of apprenticeship training to be conducted as a joint labor and management undertaking. In accordance with this policy, the following procedures are set forth and are in accordance with the Shelley-Maloney Apprentice Labor Standards Act of 1939, as amended, and the pertinent sections of the Charter and civil service rules.

Section 2. JOINT APPRENTICESHIP COMMITTEE:

I. Organization and overall purpose:

a) There is hereby established a Joint Apprenticeship Committee of the City and County of San Francisco (hereinafter referred to as JAC) to assist the General Manager, Personnel, in carrying out a city and county-wide program of apprenticeship training. The overall purpose of the JAC is to foster and promote apprenticeship programs in the several departments; to recommend to the Civil Service Commission the trades to be included in the apprenticeship program, and the standards for such training; to establish craft committees and to confirm appointments to such committees; to execute apprenticeship agreements; to hear complaints of apprentices, and to perform such other duties as may be assigned by the General Manager, Personnel, or the Civil Service Commission.

b) The members of the JAC shall be appointed by the Commission and shall be comprised of the following membership:

The General Manager, Personnel, or his representative.

The Chief Administrative Officer or his representative.

The General Manager of the Public Utilities Commission or his representative.

Three permanent city and county civil service employees who shall be journeyman members of different crafts subject to apprenticeship agreements.

One representative of a recognized craft association or union who is not a city and county employee.

One representative of a recognized employers' organization who is not a city and county employee.

One advisory member from the California Division of Apprenticeship Standards.

One advisory member from the City and County of San Francisco Board of Education.

Each member shall serve for three years or until a successor is appointed. Advisory members shall be entitled to notice of all meetings; to attend such meetings, and to be heard, but shall not have the right to vote.

c) The standards and procedures hereinafter established are made subject to all of the provisions of the Charter, the ordinances of the Board of Supervisors, the Rules of the Civil Service Commission, and the provisions of the California State Apprenticeship Labor Standards Act. Any provision hereof which may be in conflict therewith is null and void.

The State Administrator of Apprenticeship shall be notified of any modification in the Charter, Ordinances or Rules of the Civil Service Commission, which may affect apprenticeship programs.

d) Trades that have a functioning joint apprenticeship committee, approved by the Division of Apprenticeship Standards and having a representative of the San Francisco Unified School District, in which the apprentice is indentured to the trade joint apprenticeship committee and rotation of employment by work processes and trade attitudes is required to assure that the apprentice is exposed to the greatest variety of mechanical and trade philosophy during his apprenticeship, the City and County shall



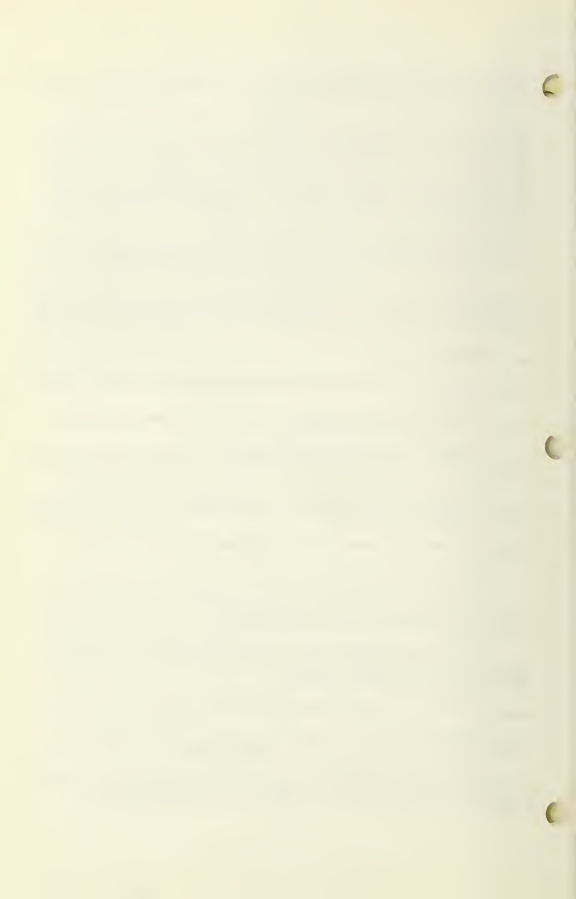


recognize the Standards of the trade joint apprenticeship committee and secure apprentices through the appropriate trade JAC in the same manner as any other employer and meet with all the trade JAC requirements.

Section 3. FUNCTIONS OF THE JOINT APPRENTICESHIP COMMITTEE: The Joint Apprenticeship Committee of the City and County of San Francisco shall use its best endeavors to set up and carry out within the City and County of San Francisco an In-Service Training Program for the purpose of enabling such apprentices to learn and acquire a specified trade or craft. The JAC shall encourage the development of apprenticeship programs in the several departments and shall review requests by the departments for the establishment of apprenticeship programs, and shall recommend approval or disapproval of such requests on the basis of required standards. The program shall comply with the provisions of applicable veteran's legislation, if the apprentice is a veteran who plans to use his veteran's benefit in conjunction with the training.

The JAC shall, by rule, subject to approval of the Civil Service Commission, provide for its own organization and establish standards for an apprenticeship program. Such rules shall include, but shall not necessarily be limited to the following:

- a) Provision for the election of a Chairman, a Secretary, and such other officers as they deem advisable, and to fix their duties and terms of office; provided that the General Manager, Personnel, or his representative shall act as Executive Secretary and provide necessary liaison between all parties.
- b) Provision for the holding of regular meetings and the maintenance of records of its deliberations and actions.
- c) Provisions for the supervision of the administration and enforcement of the rules and standards.
- d) Provision for the recommendation to the Civil Service Commission of qualifications to be established for apprentices.
- e) Provision for the development of recommendations to the Civil Service Commission for fair and impartial selection procedure in accordance with existing laws and uniform application of such procedures in the selection of applicants for apprenticeship.
- f) Provision for the evaluation of the prior experience and training of apprentices, and for the granting of appropriate credit on account of either training on-the job or related or supplemental instruction.
- g) Provision for the investigation and evaluation of apprentice training in progress.
- h) Provision for first-aid training for all apprentices.
- i) Provision for passing upon the training qualifications of employers who are members of any employee organization signatory to any apprenticeship agreement, as well as other employers who may be involved in this program.
- j) Provisions for continuous employment insofar as possible of all apprentices as well as all-around diversified training in all of the job processes of the craft, and to that end to make provision for procedures for the transfer and assignment of apprentices from one department to another.
- k) Provision for the establishment and maintenance of appropriate and required records.
- l) Provision for serving in an advisory capacity for the school program when designated by the Board of Education as an advisory committee.
- m) Provision for the termination of the completion by an apprentice of training and in connection therewith to submit such evidence to the Secretary of the State Apprenticeship Council together with a recommendation for the issuance of a State Certificate of Completion.



n) Provision for the adjustment or determination of disputes and complaints, including provision for an appeal procedure to the State Administrator of Apprenticeship.

Section 4. DUTIES AND RESPONSIBILITIES OF EMPLOYER AND PARTICIPATING CRAFTS:  
The JAC shall provide for the duties and responsibilities of the employer and employee groups participating in the program.

Section 5. DUTIES OF APPRENTICES:

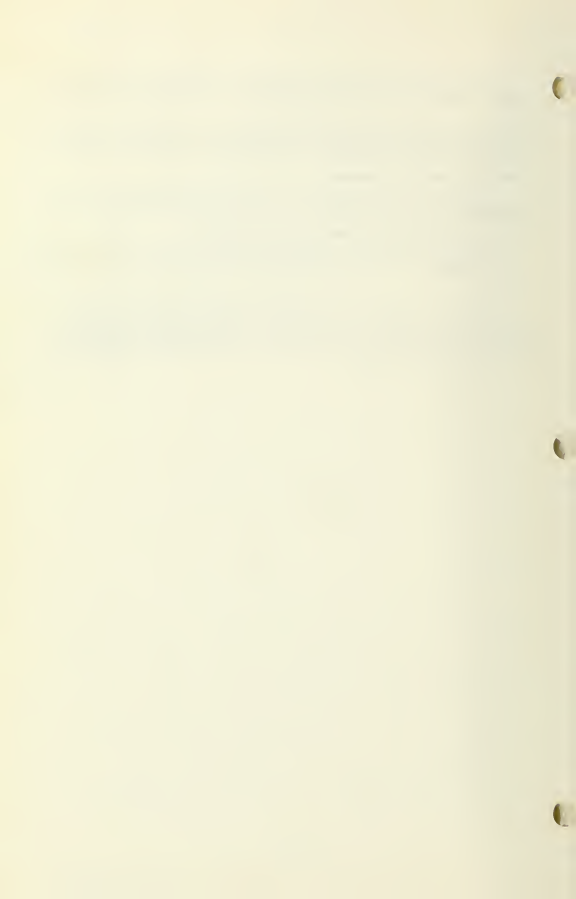
The JAC shall provide a definition of apprentices and shall establish the duties and responsibilities of apprentices.

Section 6. ORGANIZATION AND FUNCTION OF CRAFT COMMITTEE:

The JAC shall provide for the organization and for the duties and responsibilities of craft committees.

Section 7.

Controversies regarding the apprenticeship program or the rules, established standards or agreements under such standards, which cannot be adjusted by the JAC or the Civil Service Commission, shall be submitted to the Administrator of Apprenticeship for determination as provided for in Section 3081 of the California State Labor Code. (New rule adopted 10-21-68)



## Superseded Rules



## RULE 2. APPLICANTS

Section 1. QUALIFICATIONS: Every applicant must be a citizen of the United States, and must possess the qualifications required by the Charter and by the announcement of the examination for which he applies in accordance with the provisions of Section 12.1 of Rule 4.

Experience which has been gained in violation of a rule of the Civil Service Commission will not be credited to a participant in any examination.  
(SECTION AMENDED 12-11-53)

Section 2. CHARACTER AND FITNESS: Applicants must be of a good moral character, of temperate and industrious habits and in all respects competent and fit to perform the duties of the position applied for. No person who has been dismissed from the service of the City and County after a hearing on charges or who has resigned from a position while he is under suspension or while charges are pending against him or whose services had not been satisfactory shall, unless otherwise ordered by the Commission, be eligible to participate in any examination except with the consent of the Civil Service Commission obtained at a meeting of the Commission, and any standing secured by examination without such consent shall be void. (Section 144) (SECTION AMENDED 12-11-53)

## RULE 3. APPLICATIONS

Section 1. NOTICE OF EXAMINATIONS: Requests for notice of dates when applications may be filed for any examination must be made on printed forms provided by the Commission. When date of examination has been set, notice thereof will be sent to the inquirers, at their risk, by mail. A separate written request must be made for each class.

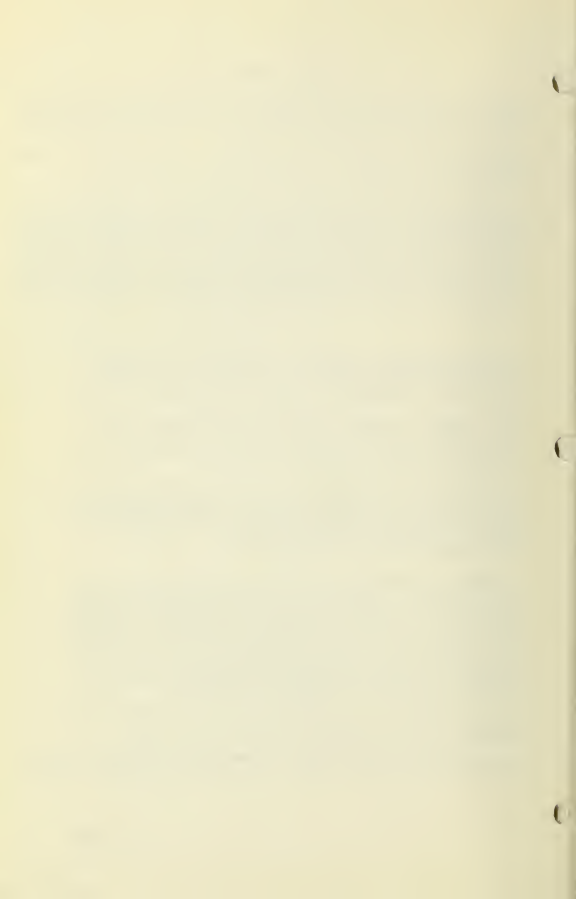
Official notice of entrance examinations will be published in the official newspaper, and posted on the bulletin board in the business office of the Civil Service Commission and, if further notice is deemed necessary or proper, the same may be ordered by the Commission or the Personnel Director and Secretary.

When examinations for promotion are to be held, the Personnel Director and Secretary will give notice thereof to all persons in positions entitling them, under the examination announcement and the civil service rules, to participate in such examinations, by posting information thereof in the business office of the Commission for a period of ten days and by notifying the departments concerned.  
(Section Amended 12-11-53 and 1-15-59)

Section 2. DISTRIBUTION AND RECEIPT: Application forms shall be distributed only after the date has been set by the Personnel Director and Secretary for the examination for which they are to be used. They must be filed at the office of the Commission and will be received only during the time indicated in the examination announcement. Applications submitted in person or by messenger must be delivered to the examination division of the Civil Service Commission not later than 5:00 P.M. of the final date for the receipt of applications specified in the examination announcement. Applications submitted through the mail must be post-marked not later than midnight of the final date for receipt of applications specified in the examination announcement.

Under no circumstances shall application forms for any examination be distributed after the closing time for receipt of applications for such examination has passed. (Section Amended 12-11-53 and 1-15-59)

Section 3. DEFECTIVE APPLICATIONS: Applications must be filed absolutely in accordance with the conditions stated in the examination announcement. Applications defective in any particular may be rejected. (SECTION AMENDED 12-11-53)



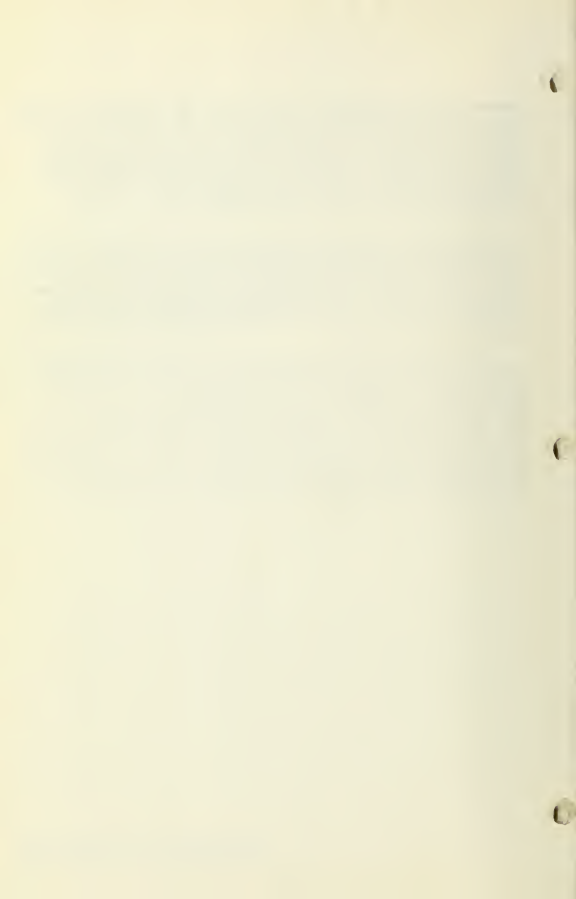


Notwithstanding any other provision of Rule 4, Section 9, the General Manager, Personnel, upon the advice of the medical examiners, is authorized to certify eligibles with medically disqualifying conditions that are subject to correction within a reasonable time period; and order that the employment of such persons be subject to passing all medical requirements within five (5) months of the date of certification, or lesser time, if conditions warrant. Requests for reconsideration of a ruling of the General Manager, Personnel, under this subject will be heard by the Civil Service Commission only if filed in writing by noon of the sixth calendar day following the ruling.  
(New 6th paragraph to Sec. 9 - Rule 4 - Adopted 3-16-70)

Section 10. LABORERS: Examination of laborers shall relate only to physical qualifications and experience, and laborers establishing their fitness shall rank upon the qualified register in order of their priority of application. When notified, candidates on the original register shall present themselves for examination. Candidates failing to appear for examination when notified by the Personnel Director and Secretary shall be removed from the register.  
(Section Amended 1-29-59)

Section 11. PROMOTIONAL: Whenever it deems it to be practicable, the General Manager, Personnel, shall provide for promotion in the service on the basis of such examinations and tests as the General Manager, Personnel, may deem appropriate, and shall, in addition, give consideration to ascertained merit and records of city and county service of applicants. The General Manager, Personnel, shall announce in the examination scope-circular the next lower rank or ranks from which the promotion may be made. All promotions in the Police and Fire Departments, respectively, shall be made from the next lower rank on the basis of examinations and tests, seniority of service and meritorious public service being considered.  
(Section Amended 1-29-59)

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Section 11.1. Promotional examinations shall be open only to appointees holding civil service permanent status in a position allocated to a classification designated in the official examination announcement as a next lower rank and who possess the other qualifications prescribed in the announcement, provided that for purposes of this rule the following persons are deemed to hold permanent civil service status:

(a) An appointee on duly authorized leave of absence from a position allocated to a classification designated as a next lower rank;

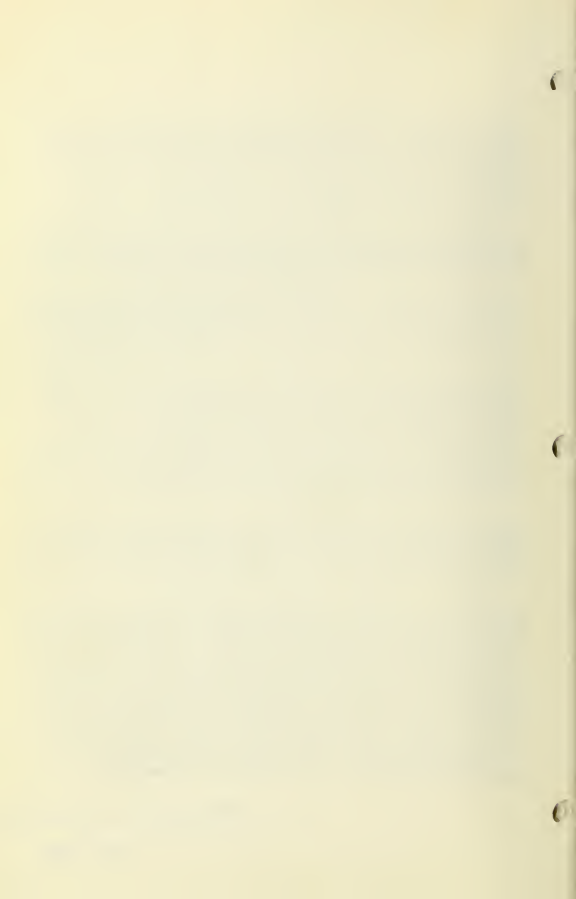
(b) An appointee with holdover status (Rule 26) in a position allocated to a classification designated in the official announcement as a next lower rank, provided that such appointee has been employed in such classification either under temporary or permanent civil service appointment within a period of one year immediately prior to the beginning date of the examination;

(c) An appointee who on the beginning date of the examination is serving a probationary appointment in a position allocated to a classification designated as a next lower rank as a result of a transfer (Rule 34) from a position of the same classification in another department. Such person shall be entitled to appointment from the list of eligibles resulting from the promotional examination if he secures standing thereon at such time as he may be reached for appointment without regard to his probationary status; (Sec. Amended 4-14-60)

(d) An appointee who on the beginning date of the examination is serving a probationary appointment in a classification not designated as a next lower rank in the promotional examination but who, immediately prior to his current probationary appointment, held an appointment under civil service permanent status in a classification designated as a next lower rank for the promotional examination; provided, however, that the name of such person, if he secures standing on the list of eligibles created from the promotional examination, shall be removed therefrom upon completion of his current probationary appointment, unless by order of the Personnel Director and Secretary or the Civil Service Commission it is determined that the duties and responsibilities, and the training and experience required in the current position are so closely related as to warrant continuation of eligibility;

(e) An appointee who on the beginning date of the promotional examination is serving a probationary appointment in a position allocated to a classification designated as a next lower rank and who, under the provisions of Sections 153 or 146.1 or 146.2 of the Charter, is permitted to participate in promotional examinations while serving a probationary appointment, but such rights and benefits thereof shall be in accord with the provisions of Sections 153, 146.1 and 146.2. (New Section - Added 4-23-54)

Section 12. EXAMINATION ANNOUNCEMENT: The official notice of the examination shall be known as the examination announcement. The term "Scope-Circular" when used in other sections of these rules shall mean the official announcement. The Personnel Director and Secretary shall authorize the issuance of an examination announcement for each examination, or each set of examinations, and such examination announcement shall contain the name, date, place and scope of each examination, and such details as may be relevant for the applicants, the conduct of the examination, and the maximum duration of eligibility, if for less than four years. Such examination announcement when authorized shall govern only the examination to which it applies. Applicants must read carefully, and be guided solely by, the examination announcement of the examination for which they apply. For a period of seven days following the posting of an examination announcement objections thereto may be filed in writing. Such objections stating in detail the reasons therefor must be received at the offices of the Civil Service Commission within seven business days following the posting of the examination announcement. Such objections or protests received after such seven business days will not be considered by the Commission. (Section Amended 1-29-59)



Section 12.1. CALCULATION OF TIME, AGE, CREDITS FOR SERVICE, ETC.: In examinations for original entrance to the service, the closing date for receipt of applications as set forth in the examination announcement is the final date to be used for calculating age of applicants, length of residence, citizenship, experience, educational qualifications, etc. Applicants must meet all conditions and possess all qualifications and requirements set forth in the examination announcement as of the closing date for receipt of applications unless otherwise specifically provided in the examination announcement. Whenever age is used as the basis for breaking ties in scores or ratings of eligibles in entrance examinations, the age of the eligible on the final date for receipt of applications shall be used.

In examinations for promotion in the service, the official beginning date of the examination as set forth in the examination announcement shall be the final date for the calculation of credits for city and county service including seniority of service and years of service, for completion of probationary appointment, for the rating of ascertained merit including acts of merit or demerit, or disciplinary acts, etc. Service beyond that date, and acts of merit or demerit or disciplinary acts recognized by the appointing authority and recorded and made a part of the service record of the employee after the official beginning date as set forth in the examination announcement will not be considered in that examination. Whenever age is used as the basis for breaking ties in scores or ratings of eligibles in promotional examinations, the age of the eligible on the beginning date of the examination shall be used. The final date for receipt of applications is used in entrance examinations for the purposes set forth because it is desired that all participants in examinations possess the qualifications required of appointees and because it is obviously inadvisable to allow credits for prospective experience or education, etc. beyond the last date for filing of applications. The official beginning date of the examination is used for the purposes indicated in promotional examinations because it is desired to establish a final date for calculation of service and other factors in promotional examinations which will allow for all city and county experience possible in such examinations and at the same time establish a reasonable and uniform method of calculation of such credits.

Section 12.2 RATING ASCERTAINED MERIT AND MERITORIOUS PUBLIC SERVICE IN PROMOTIONAL EXAMINATIONS IN THE FIRE AND POLICE DEPARTMENTS. A participant in such promotional examination who has a clean record of service in his department shall be allowed the additional credits for a clean record as provided in Section 146 of the Charter. When provided for by charter provision, a specific act of merit performed by a participant in such a promotional examination or an act of demerit committed by a participant in such an examination which act occurred prior to the official beginning date of the examination and is recorded on the record of service of the participant shall be evaluated and rated according to the judgment of the Civil Service Commission and as set forth in the official records of the Commission before the opening of identification sheets and subject to the following conditions:

(a) An act of demerit committed by a participant in such promotional examination which occurred ten years or more before the official beginning date of such examination is deemed expunged from the record of service of such participant and he is deemed to have a clean record of service in his department if he has an exemplary record of service during such ten-year period.

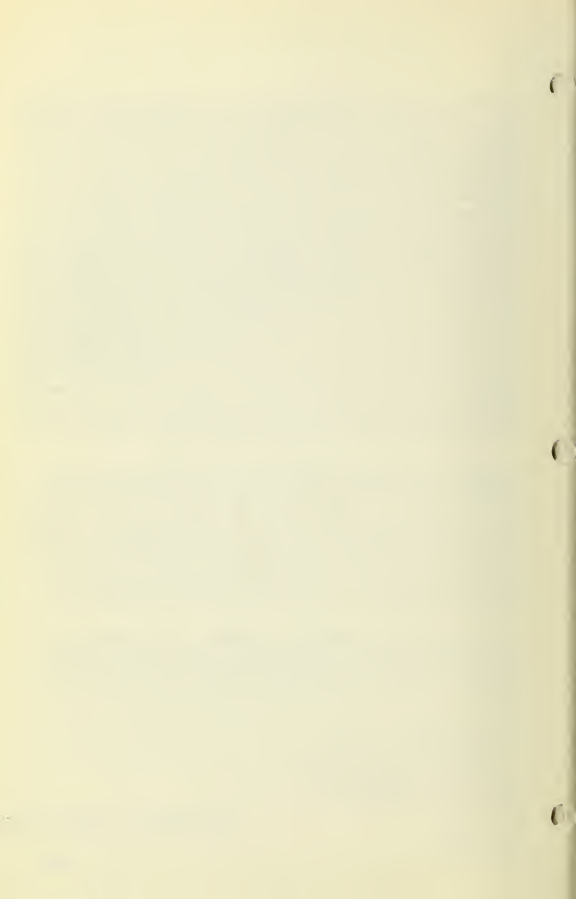
(b) For the purpose of this rule, the following classes are referred to as basic classes:

H 20 Lieutenant, Fire Department  
H 30 Captain, Fire Department  
H 40 Battalion Chief, Fire Department  
H 50 Assistant Chief of Department, Fire Department  
H206 Lieutenant, Salvage Corps  
H208 Captain, Salvage Corps

Q 50 Sergeant  
Q 60 Lieutenant  
Q 80 Captain

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The following classes are referred to as intermediate or specialized classes:

H 4 Inspector, Bureau of Fire Prevention and Public Safety  
H 6 Investigator, Bureau of Fire Investigation  
H 22 Lieutenant, Bureau of Fire Prevention and Public Safety  
H 24 Lieutenant, Bureau of Fire Investigation  
H 32 Captain, Bureau of Fire Prevention and Public Safety  
H152 Inspector of Fire Department Apparatus

Q 25 Inspector of Motor Vehicles  
Q 28 Range Master  
Q 63 Criminologist  
Q 62 Photographer, Police Department

An act of merit or demerit which has been evaluated and rated in a promotional examination in a basic class shall not again be evaluated and rated in any subsequent promotional examination in a basic class, or in an intermediate or specialized class which is promotional from the basic class in which such credit was evaluated and rated.

An act of merit or demerit which has been evaluated and rated in a promotional examination in an intermediate class shall not again be evaluated and rated in any subsequent promotional examination in an intermediate class.

In the event a candidate participates in more than one promotional examination having the same official beginning date, then acts of merit or demerit which have not been previously evaluated and rated as indicated above shall be evaluated and rated in all such promotional examinations participated in with the same official beginning date.  
(NEW SECTION ADDED 8-28-53)

Section 13. Persons holding appointment in a regular permanent position in one class shall not, while holding such appointment, be permitted to participate in any subsequent examination held for such class, and any examination standing secured in violation of this section shall be void; in short, no person may be an appointee in a permanent regular position of one class and at the same time be an eligible for an appointment to a position in the same class.

Except with the express permission of the Civil Service Commission or the Personnel Director and Secretary thereof, a person holding permanent civil service appointment in a regular position in the municipal service shall not be permitted to participate in an entrance examination for a different classification for which the recommended salary range is less than the salary range recommended for the class for which he holds permanent status. Applications submitted contrary to the provisions of this section shall be rejected. (Sec. 145.)

SUPERSEDED BY LATER EDITION





## **RULE 8. MARKING AND GRADING PAPERS**

**Section 1. EXAMINATIONS:** All examination papers shall be marked and graded under the direction of the General Manager, Personnel. Persons not in the service of the Commission shall not be permitted to view examination papers that are in the course of rating. All incompleated examination papers shall be securely locked in the safe or vault of the Commission during any suspension of rating and under no circumstances shall they be left unguarded by the examiners unless so locked. (Section 1 amended 10/26/61)

**Section 2. RATING:** The rating of an examination including the rating of the various parts of the examination shall be as indicated in the examination announcement. (SECTION AMENDED 1-22-54)

**Section 3. DISCONTINUANCE:** Whenever a participant fails to secure the passing mark fixed for any part of an examination, or for any subject of an examination, he shall be deemed to have failed, and further rating in such case shall be discontinued. (Sec. 141.)

## **RULE 9. MINIMUM STANDING**

The Personnel Director and Secretary may, upon recommendation of the Supervisor of Examinations or his principal assistant, for each examination, establish a passing mark or may determine the total number of persons who shall constitute the list of eligibles. (Sec. 145) (Section Amended 1-15-59)

## **RULE 10. PREFERENCE TO WAR VETERANS AND THEIR WIDOWS**

**Section 1. "VETERAN" DEFINED:** The term "veteran" as used in this rule shall be taken to mean any person who has enlisted or been mustered into or served in the Army, the Air Corps, the Navy or the Marine Corps, or the Coast Guard of the United States in time of war and received an honorable discharge or certificate of honorable active service.

(AMENDED 1-16-53; CHARTER SECTION 145.1 RATIFIED 1-9-53)

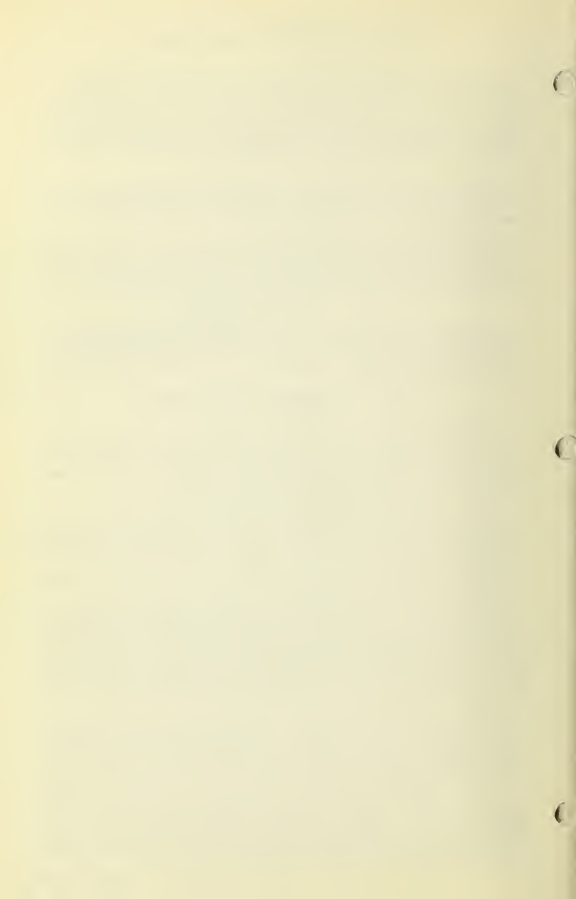
**Section 2. ENTRANCE EXAMINATIONS:** Veterans with thirty days or more actual service, and widows of such veterans, when the passing mark has been attained in any examination, shall be allowed an additional credit of 5 per cent in making up the list of eligibles secured by such examination.

**Section 3. PROMOTIVE EXAMINATIONS:** In the case of promotive examinations, when the passing mark has been attained, a credit of 3 per cent shall be allowed to veterans or to widows of such veterans.

**Section 4. LIMIT TO ENTRANCE AND PROMOTIVE PREFERENCE:** In accordance with charter provision, not more than one entrance appointment and one promotive appointment may be allowed to any one person from eligible lists on which the ranking of the employee includes credit for veteran's preference. When an eligible receives such an entrance or promotive appointment and successfully completes his probationary period, such other additional preference credits that have been allowed him on other entrance or promotive eligible lists, as the case may be, shall be automatically cancelled and his rank shall be revised to accord with his relative standing before such additional credits were added.

**Section 5. PERMANENT DISABILITY PREFERENCE:** When in its judgment it shall seem just and proper, the Civil Service Commission may, for specific city and county services or employments, as determined by the Commission, allow general or individual preference, but not less than 10 per cent, for entrance appointment of veterans who have suffered permanent disability in line of duty, provided that such disability would not prevent the proper performance of the duties required under such service, or employment, and provided that such disability is of record in the United States Veterans Administration.

**Section 6. TIME FOR CLAIMING VETERAN'S PREFERENCE:** Veteran's preference as provided in Section 2 or 3 of this rule shall be claimed at the time of filing application and shall be accompanied by proof of honorable discharge or honorable active service, provided that, with the approval of the Personnel Director an applicant may, upon a showing of good reason therefor, make or withdraw a claim for veteran's preference prior to the actual holding of the written portion of the examination.



### **RULE 13. REGISTERS OF ELIGIBLES**

Section 1. **METHOD OF ENROLLMENT:** Successful candidates shall be enrolled upon the "Register of Eligibles" in the order of their relative excellence.

Section 2. **QUALIFICATIONS OF ELIGIBLES:** Eligibles must continue to possess the qualifications required of applicants by Section 1 and Section 2 of Rule 2, or loss of eligibility may follow. (Sec. 145.)

### **RULE 14. DURATION OF ELIGIBLE LISTS**

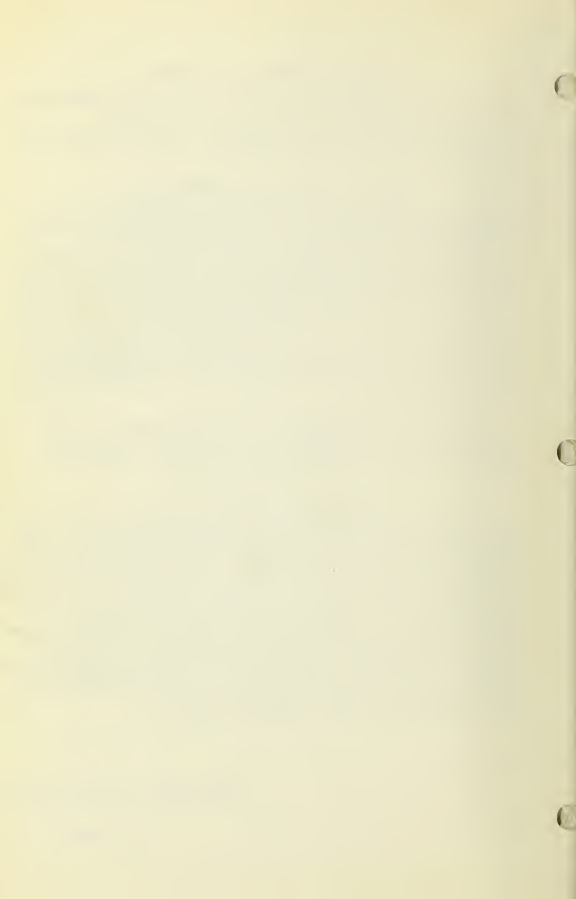
Section 1. **TWO YEAR LIMIT:** The Civil Service Commission may remove all names from lists of eligibles after they have remained thereon for more than two years from the date of the adoption of the lists that created their eligibility.

Section 2. When a list of eligibles becomes exhausted for temporary or permanent employment before the legal expiration of the list, and a new list of eligibles for the same class is created by examination to supply the demands of the service, said new list shall become a part of the list of eligibles to be certified for appointment to the positions covered by said list; provided, however, that subject to the provisions of Rule 21, those holding places on the first list shall be given preference for appointment until such time as said prior list may automatically expire or the names be removed therefrom by action of the Civil Service Commission. When the prior list has expired by reason of limitation of time, or the names thereon have been removed therefrom by order of the Civil Service Commission pursuant to authority vested in said Commission by the charter, then certification shall be made solely from the latter list.

Section 3. **LIMIT INTERMEDIATE TO TWO AND FOUR YEARS:** The General Manager, Personnel, may provide in the scope-circular of any examination that the list of eligibles secured thereby shall automatically expire at a date not less than two, but less than four, years after the adoption of such list. (Section Amended 2-19-59)

Section 4. **DATE OF ADOPTION OF LIST:** An eligible list shall be effective on the date of official adoption of such list by the Civil Service Commission, provided that in the event no protests on ratings have been received during the period of posting of the tentative eligible list, the list shall automatically become official as posted. Unless all names have been removed prior to the four-year period as provided herein, all names shall be automatically removed four years from the official date of adoption (excluding the date of the fourth anniversary) and if the last day of the four-year period falls on a Saturday, Sunday, or legal holiday the automatic removal shall be made on the following business day. Changes of rank, or addition or subtraction of names, made on lists of eligibles because of clerical errors or re-ratings, shall not change the date of the adoption of such lists, nor give to any persons the right to claim beginning date of eligibility other than the date of the adoption of the original eligible list that created their eligibility. (Sec. 145)  
(Sec. 4 amended min. 1-5-61. Ratified 1-12-61.)

**SUPERSEDED BY LATER EDITION**



#### RULE 18. CREATION OF, OR CHANGE IN, POSITIONS.

Section 1. CREATION OF: Positions in any department or office of the city and county may be created, as provided by the charter, by appropriation ordinance of our Board of Supervisors. Copy of each such ordinance creating or abolishing positions shall be filed, on the approval thereof, with the Civil Service Commission by the Clerk of the Board of Supervisors. Before the appointing officer shall make recommendation for the creation of any new or additional position in any department or office, he shall request and receive from the Civil Service Commission the proper designation and classification of such position based on the duties and responsibilities thereof, and if such position is included in the classified civil service, the Commission may, in writing, express to the appointing officer and the Board of Supervisor its opinion as to whether or not such position is needed.

Section 2. CHANGE IN: Immediate notice in writing shall be given to the Civil Service Commission by the appointing officer of each department and office of the city and county of the creation or abolition of any position, or of any change in duties if the position is included in the classified civil service, or of any appointment, resignation, suspension, dismissal or other creation of vacancy therein, or change in assignment from one bureau to another, with the date of any such change. If said appointing officer is also empowered to establish compensation rates or make changes therein, he shall immediately notify the Commission of any such rate or change therein. The Commission shall maintain a record of all such notifications. (Sec. 143.)

#### RULE 19. REQUISITIONS.

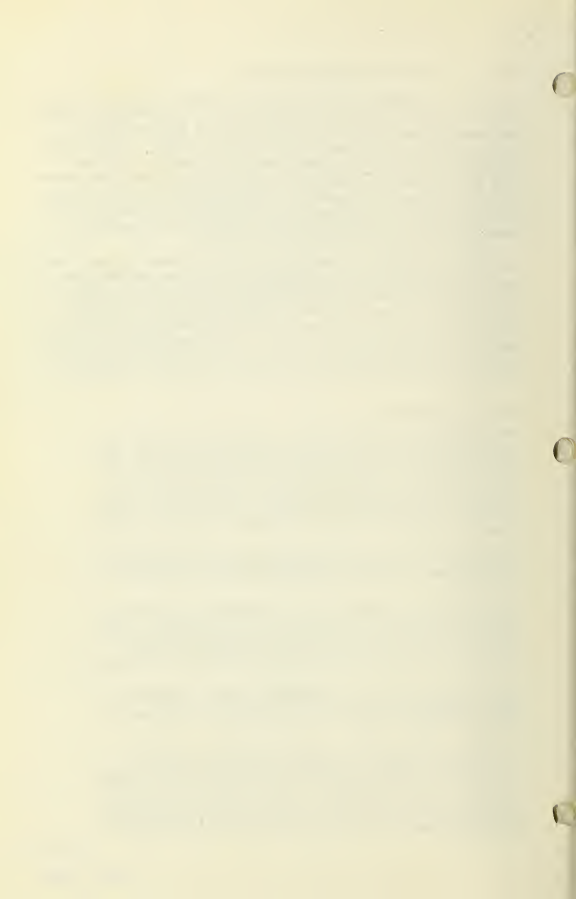
Requisitions for the certification of eligibles shall be made upon forms provided by the Civil Service Commission and shall bear all required information and approvals before being filled by the Civil Service Commission. Upon receipt of approved requisitions they shall immediately be time stamped, in the order of their receipt. Positions shall be offered to eligibles as provided in Rule 20 in accordance with the priority of receipt of the requisition in the office of the Commission, or in accordance with the date to report for duty if such date to report is later than the date of receipt, except as follows:

If at the time an eligible list is adopted, two or more approved requisitions from two or more departments are on file in the office of the Commission, the General Manager, Personnel, is hereby authorized;

(1) in cases where eligibles on the list who would be reached for appointment on such requisitions are at that time employed in the city and county service, to consult with appointing officers and employees involved, and if it is in the best interests of the service to offer out said positions so as to make it possible for the continued employment of such eligibles in their own departments; or

(2) in his discretion to permit eligibles in line for appointment, and in accordance with their standing on the list, to select from among the available requisitions, the positions to which they desire appointment.

A separate requisition shall be made for each permanent position to be filled. Group requisitions may be made only for temporary (or seasonal) positions. A temporary requisition will be valid for the term of the requisition without regard to the number of persons appointed against it. Requisitions must be signed by the appointing officer. Upon presentation of satisfactory reason therefor by the appointing officer who issued the requisition, cancellation of the requisition may be allowed by the Civil Service Commission or the General Manager, Personnel. (Section amended 6/27/63, 3/19/64 and 12/3/64.)

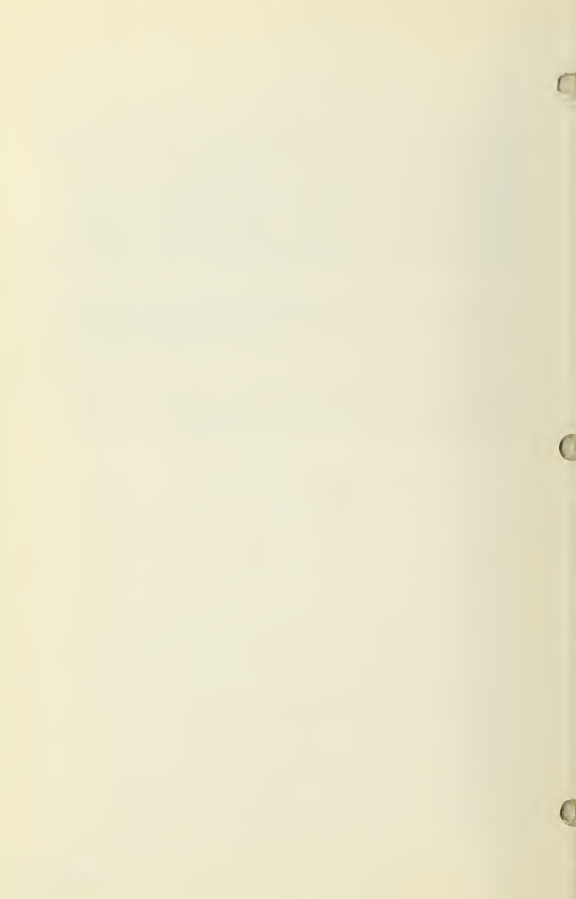


RULE 20. CERTIFICATIONS.

Section 1. ONLY ONE NAME TO BE CERTIFIED: In filling requisitions filed in accordance with the provisions of Rule 19, only one name shall be certified for each position to be filled. The position shall first be offered to the eligible having highest standing on the eligible list who is available for the type of appointment offered. If the highest eligible waives the appointment, then the next available eligible in line as provided in Rule 19 shall be offered the position, provided that such eligible has not already been offered appointment from the list. In the case of a temporary requisition where such requisition is authority for subsequent certifications following separation of an appointee, the highest available eligible as of the date the document is received from the appointing officer requesting that certification be made, shall be certified. (Section amended 3/11/55, 1/15/59, and 3/19/64)

Section 2. APPOINTING OFFICER'S REQUEST FOR APPOINTMENT OF AN ELIGIBLE OF PARTICULAR SEX: In all cases where an appointing officer considers that a vacancy in a civil service position should be filled by an eligible of a particular sex, he shall so advise the Civil Service Commission at the time of his request, specifying in detail the factual basis for his request.

After consideration of the matter, the Civil Service Commission may refer the matter back to the appointing officer with its comments for his further consideration. Should the appointing officer, after further consideration, again request that such civil service position be filled by an eligible of a particular sex, such determination will be final except so far as anyone may seek review in the courts. (Section amended 7/2/59).





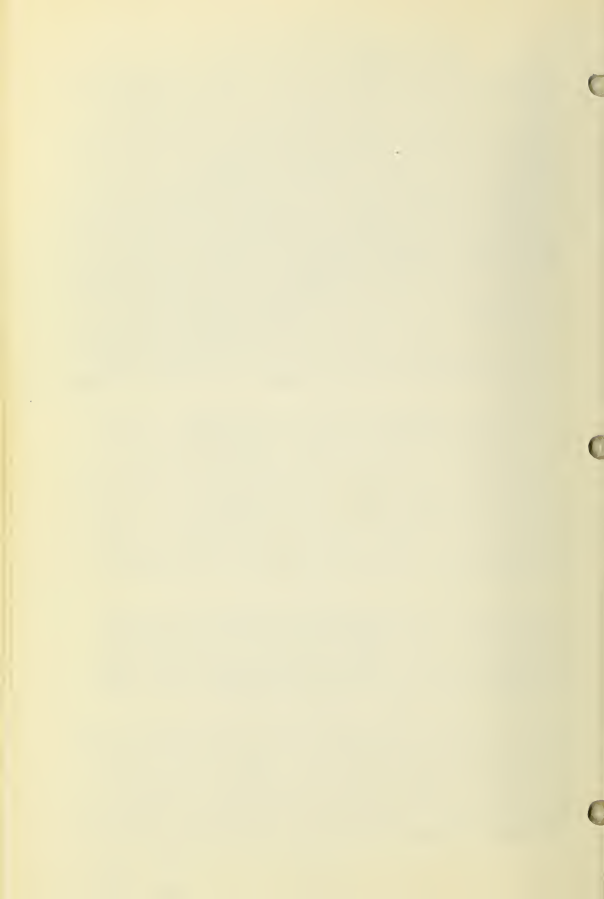
## RULE 21. WAIVER OF CERTIFICATION

Section 1. MUST BE IN WRITING: All waivers of certification other than automatic waivers because of failure to respond (Rule 23) must be in writing and must state whether the position waived is temporary (or seasonal) or permanent. Waiver of certification for appointment to a permanent position shall include waiver of certification for appointment to a temporary (or seasonal) position unless otherwise stated by the person waiving; but waiving of certification for appointment to a temporary (or seasonal) position shall not adversely affect or interfere with the right of the person waiving, for appointment to a permanent position. Waiver of certification shall be effective upon filing notice thereof as herein provided. In the case of an eligible on a list established through an entrance examination, only one waiver of permanent appointment to a regular position will be granted, and withdrawal of such waiver will be in accordance with the provisions of Rule 22, provided that in the case of an eligible on a list established through an entrance examination for which the official examination announcement provided for recruitment on a continuous basis, waiver of permanent appointment to a regular position other than departmental waiver will cause the automatic removal of the name of such person from the eligible list. Failure of an eligible on an entrance list to accept an offer of permanent appointment to a regular position after having withdrawn a waiver of appointment will cause the removal of the name of such person from the eligible list. When an eligible has standing on more than one eligible list in the same classification, a waiver of appointment, other than Departmental Waiver, from one list shall also apply to any other existing list in the same classification on which the individual holds eligibility. The removal of the name of an eligible from a list for failure to accept the second offer of appointment shall cause the removal of such person's name from all other existing lists in the same classification. (Section 1 amended 12-13-62.)

Section 2. DEPARTMENTAL: An eligible, upon furnishing reasons satisfactory to the Commission or to the General Manager, Personnel, may permanently waive appointment to a certain department or departments and such waiver shall be known as "Departmental Waiver" and shall remain in force until the person who so waives has passed another examination for the class of employment waived, provided that, no person shall be permitted to enter a Departmental Waiver against a department from which he has relinquished permanent employment. When such Departmental Waiver has been allowed, the person so waiving shall not be considered for permanent appointment in any department, in the class involved, until the first day of the following calendar month when such waiver takes effect. Eligibles on lists established through entrance examinations shall not be granted Departmental Waivers on more than two occasions on any one entrance list. (SECTION AMENDED 12-17-59)

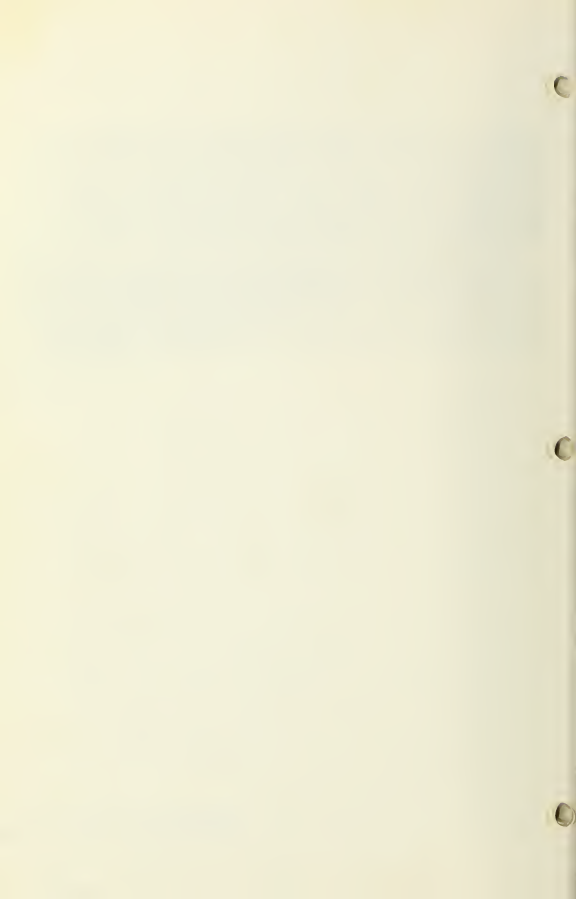
Section 2a. Notwithstanding the provisions of Section 2 of this rule, and in order to facilitate the appointment of persons from regular eligible lists to departments in which they are employed under non-civil service emergency appointment, or limited tenure appointment or regular temporary appointment, the General Manager, Personnel, may, upon the written request of such eligibles, grant Departmental Waivers to be effective immediately, and such eligibles shall thereupon be considered for appointment to any other department. (SECTION AMENDED 1-15-54 AND 12-17-59)

Section 3. REGULAR POSITION, EXEMPT WAIVER: Any regular full-time position to which are attached unusual duties not normally to be expected to be performed by an eligible certified to such a position, or unusual working conditions, such as location of the position or unusual hours of work, may be declared by the General Manager, Personnel, to be a "Regular Position, Exempt Waiver." Certification to such "Regular Position, Exempt Waiver" may be waived by eligibles without prejudice for consideration for certification to other regular positions. When a position which has been declared by the General Manager, Personnel, to be a "Regular Position, Exempt Waiver"



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Section 4. EXEMPT WAIVERS: When an appointing officer indicates on a requisition that the duties of the position to be filled require specialized knowledge and training in subjects or fields recognized by the Commission as being branches of civil, mechanical or electrical engineering, and such specialties are noted on the scope-circular announcing the examination from which the eligible acquired his status as an eligible, appointment under such requisition may be waived, without penalty, by those eligibles who did not possess the required specialized knowledge and training and did not record such special knowledge and training on their application for said examination. (Amended 2-26-68)



becomes vacant, such position shall be treated as a regular position unless the General Manager, Personnel, again declares that the position is a "Regular Position, Exempt Waiver." (Section amended 12-17-59)

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#### RULE 22, WITHDRAWAL OF WAIVER

Withdrawal of waiver of temporary employment and withdrawal of waiver of permanent employment must be requested separately.

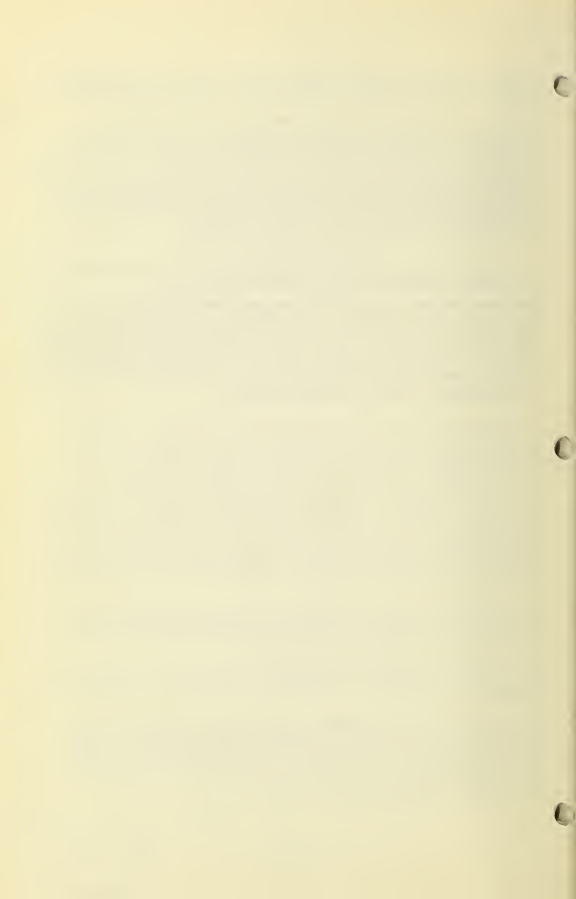
Eligibles desiring to withdraw waivers may do so by filing in writing in the office of the Commission on the proper civil service form not later than the 20th of the month a request to have such waiver withdrawn and by giving assurance in writing that he will accept appointment when again reached for appointment. Except as otherwise provided in Rule 21, Section 1, in the case of eligibles on a list established through an entrance examination other than an examination announced on a continuing basis, only one waiver of permanent appointment to a regular position will be granted. (Paragraph amended 12-13-62.)

Withdrawals of waiver will be effective the first of the month following approval of such requests by the General Manager, Personnel, provided that if the list of eligibles on which the name of the eligible appears is exhausted the withdrawal of waiver may be effective immediately; and provided further, that the Commission or the General Manager, Personnel, may grant an immediate withdrawal of waiver to an eligible who is under waiver for failure to respond if the eligible desired to accept appointment when offered and presents satisfactory evidence that failure to respond was not due to his own negligence and was due to causes beyond his control, but such immediate withdrawal of waiver shall not interfere with nor affect the rights of eligibles next in line for appointment to whom notices of appointment have already been mailed and who have or may be appointed in response to such notices.

Upon the third request for withdrawal of waiver of temporary employment for any one class, the Civil Service Commission shall make an investigation and determine whether or not the eligible shall be removed from the eligible list concerned.

Misrepresentation regarding withdrawal of waiver shall be considered good cause for removal of the eligible's name from the register of eligibles.

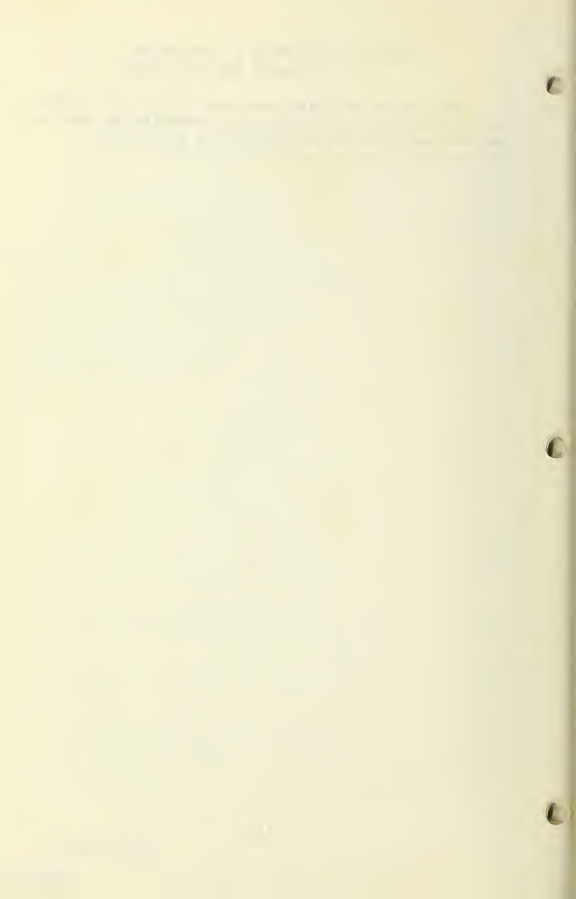
When, in response to an inquiry regarding employment, an eligible has signified his willingness to accept either a permanent or temporary position, if his name is reached and subsequently refuses the appointment when the employment is offered to him on a regular notice of appointment, the waiver then placed against the name of such eligible may be removed only with the special consent of the Civil Service Commission. (RULE AMENDED 12-17-59)



Section 6. RESIDENCE OF APPLICANTS,  
ELIGIBLES AND APPOINTEES:

Applicants, eligibles and appointees shall possess the residential qualifications as prescribed by Charter and Ordinance 166-58 of the Board of Supervisors.

SECTION AMENDED 5-29-1958.





#### Section 7.

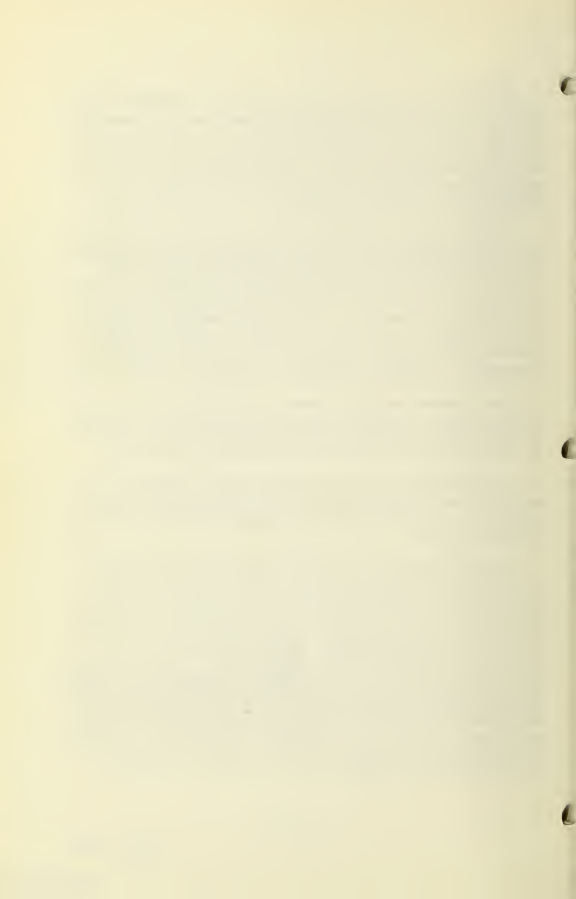
(a) An employee may waive the right to advancement or assignment under the status rule, and may thereafter upon written request, be granted a withdrawal of such waiver with the approval of the General Manager, Personnel; until such waiver is withdrawn, the employee's right to advancement or assignment shall be deemed to be in abeyance. Failure to accept an advancement or assignment to a vacancy under a status action following such withdrawal of waiver shall terminate all rights to a position in such class under such status action. In cases of temporary, seasonal or recurring status advancements, employees with status rights to so advance shall be given unlimited rights to temporary waiver. (Section amended 5/28/64)

(b) When a permanent employee in a former civil service class has exercised his right to status in one of the new classes resulting from the former class, he may thereafter voluntarily accept reassignment from the position to which he was assigned and be returned to a vacant position in the former class; or if no such vacant position exists, he may be reassigned to a vacancy in another new class to which he has status rights, provided that if this action results in his receiving a lesser salary than he would receive if he had remained in the former class, the Civil Service Commission shall reallocate the position to the former class in the next succeeding regular salary ordinance amendment, provided that the restoration of the position shall be effected by the Commission not later than six months after such voluntary reassignment. Said voluntary reassignment shall terminate his status rights with respect to the position from which he was voluntarily reassigned.

When a permanent employee in a former civil service class has exercised his right to status in one of the new classes resulting from the former class by transfer, and his probationary appointment is terminated by the appointing officer, his right to reassignment shall be governed by the provisions of this section in the same manner as if he had voluntarily requested same.

(c) If, because of lack of work or lack of funds or for purposes of retrenchment, it becomes necessary to lay off employees assigned under this status rule, such employees shall be laid off in the inverse order of their assignment to such positions, and they shall thereupon be returned to the positions in the class from which they were assigned subject to the provisions of Section 1, Rule 26.

Section 8. When a vacancy exists or is anticipated in any department to which an employee has rights to advance under the Status Rule, and there is no employee in the department in which the vacancy exists who wishes to exercise his right to advancement to said vacancy, the appointing officer shall enter such information on the requisition. The Civil Service Commission upon receipt of such a requisition to fill the position shall advise all departments of such vacancies in such form as may be posted. It shall then be the duty of all appointing officers to post such lists on bulletin boards or in other conspicuous places throughout the department. It shall be the further duty of the appointing officer to post copies of the Transfer Rule, the Status Rule and Status Resolutions, as made available by the Civil Service Commission, on bulletin boards or in other conspicuous places throughout the department. The vacant position shall not be offered to eligibles on lists who have rights for appointment until a period of seven working days has elapsed after such notification by the Civil Service Commission. In the absence of a request for transfer within the time limits prescribed by this section, the position shall be offered to the highest ranking eligible on the list. (New Section 8 adopted 10/25/62. Eff. 11/15/62.)



## RULE 25. PROBATIONARY PERIOD

Any appointee to a position declared permanent by the Commission shall be on probation for a period of six months, provided that the probationary period for entrance positions in the uniformed rank in the Police Department shall be for one year. When the period of probationary appointment is interrupted because of absence on account of an industrial accident, the probationary period shall be calculated on the basis of actual service, excluding from such period of actual service the period of absence because of industrial accident; provided that if such absence because of industrial accident is to continue beyond a period of one month, the probationary appointment shall be terminated unless the appointing officer requests in writing stating good cause therefor and the Civil Service Commission approves a longer period of such absence. The probationary appointment of an employee certified to the San Francisco Unified School District shall be calculated on the basis of six months actual service, excluding from such period of service, periods of non-service because of school vacation periods. At any time during the probationary period the appointing officer may terminate the appointment by giving to the employee or mailing to his last known address a written notice of the termination specifying the reasons therefor. A copy thereof shall be filed immediately with the Civil Service Commission and the Commission shall inquire into the circumstances.

If the appointment results from an entrance examination the Commission may declare such person dismissed, or may return the name to the list of eligibles for certification to another department.

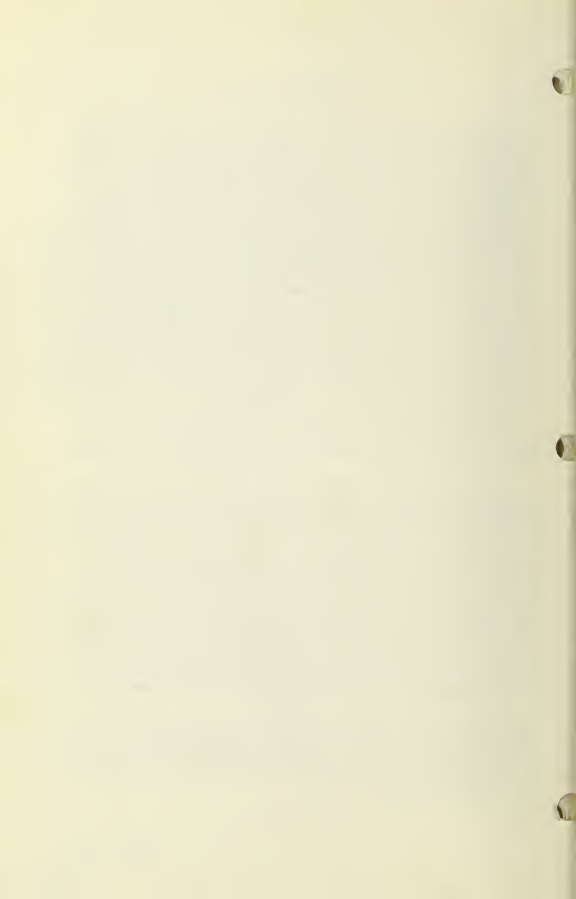
If the appointment resulted from a promotional examination the employee shall have the right of appeal and hearing before the Civil Service Commission, but if the employee desires to appeal for hearing before the Civil Service Commission, a notice of appeal shall be filed in writing with the Civil Service Commission within ten (10) days following the date of termination of appointment, otherwise the right of appeal and hearing shall be deemed to be waived. Upon receipt of notice of appeal the Commission will announce the time and place of hearing which shall be as soon thereafter as convenient. Within thirty (30) days after the receipt of the notice of termination, whether an appeal has been filed or not, the Commission shall announce its decision thereon in accordance with the provisions of the Charter, and this decision shall be final. Upon termination of a probationary appointment resulting from the promotional examination, the appointing officer may restore the employee to duty in the position from which he was promoted pending the decision of the Civil Service Commission if in his judgment such action is warranted.

Immediately prior to the expiration of the six months' probationary period the appointing officer shall report to the Civil Service Commission as to the competence of the probationer, and if competent shall recommend permanent appointment. This report and recommendation may be made at the time and on the form required under Rule 39 - Service Records.

(Rule amended 2-16-61)

DEC 1 4 1966

SUPERSEDED



## RULE 31. LEAVES OF ABSENCE WITHOUT PAY

Section 1. Leaves of absence without pay, hereinafter in this rule referred to as "leaves", shall be governed by the provisions of this rule.

### Section 2. GENERAL PROVISIONS.

- a) Leave requests are subject to approval by the appointing officer.
- b) A request for leave of more than five (5) working days must be made on forms provided by the Civil Service Commission.
- c) A civil service regular permanent appointee requesting leave must have completed the probationary period.
- d) A temporary appointee is limited to leave not to exceed ten (10) working days in any one certification period and then only if replacement of such appointee is not required.
- e) Leave requests shall be forwarded to the Civil Service Commission for recordation and approval, provided that the Civil Service Commission may authorize an appointing officer to act upon and retain leave requests, and provided further that such requests be maintained in a manner to be available for audit by the office of the Civil Service Commission.
- f) An appointing officer shall not require an employee to sign a resignation form as a condition of approval of a leave.

### Section 3. PERSONAL LEAVE.

- a) Except as otherwise provided in this section, request for leave for personal reasons other than those reasons specifically provided for in this rule, may be approved for a period not to exceed one (1) month for each six (6) months of permanent service up to a maximum of nine (9) months' leave.
- b) An employee who has been on personal leave for an aggregate of nine (9) months within a period of one (1) year may be given consideration for further leave, but not to exceed nine (9) months, after a year of subsequent service from the conclusion of the last leave, provided that the Civil Service Commission may approve up to two (2) weeks additional leave in cases of hardship or emergency.
- c) Personal leave for the purpose of accepting temporary employment outside of the city and county service in a position that would give experience to the employee that would make him more valuable to the city and county service, may be granted for a period of six (6) months. Upon recommendation of the appointing officer, such leave may be extended for six (6) month periods but not to exceed two (2) years, provided that in consideration for such extended leave, the employee shall sign an agreement that he will return to his city and county employment, and that he will not of his own volition terminate his city and county employment for a period of at least one (1) year after his return. Such agreement shall provide, in the case of failure to comply, for a penalty clause of payment to the city and county of an amount equivalent to one month's gross salary of the employee which shall be payable to the city and county under the provisions of Section 10.27-1 through -6 of the Administrative Code.

### Section 4. LEAVE TO ACCEPT OTHER CITY AND COUNTY POSITION.

A leave request to accept non-civil service, exempt or limited tenure appointment in another classification in the city and county service may be approved for the duration of such other employment.

### Section 5. SICK LEAVE WITHOUT PAY.

- a) Sick leave without pay may be approved for the period of the illness provided that requests for prolonged leave shall be renewed every six (6) months and provided further that such leave shall not be extended beyond a period of three (3) continuous years unless the civil service examining physician advises that there is reasonable pro-



RULE 31. LEAVES OF ABSENCE, WITHOUT PAY

Section 1. HOW GRANTED: Requests for leaves of absence without pay may be granted by the appointing officer under the provisions of this rule, provided that leave requests under Section 4(a) (No limit when to accept another appointment), 4(c)(sea duty), and Section 5 (educational leave) shall be forwarded to the Civil Service Commission for approval. (Amended 3/5/64 - Board of Supervisors Ordinance 86-64, effective 4/1/64).

Section 2. REQUEST FOR: Requests for leaves of absence without pay for more than five (5) working days duration must be made on forms provided by the Civil Service Commission, and, when applied for under Section 3 of this rule, must show the following:

(a) That the position from which the leave is sought is a permanent position and that the applicant has served his probationary period therein, provided that appointing officers may grant an employee under temporary appointment from a regular eligible list, sick leave (without pay) or leave for personal reasons not to exceed ten (10) working days in any one certification period, and provided further that no replacement for such temporary appointee will be requested.

(b) The reason of the applicant for desiring the leave.

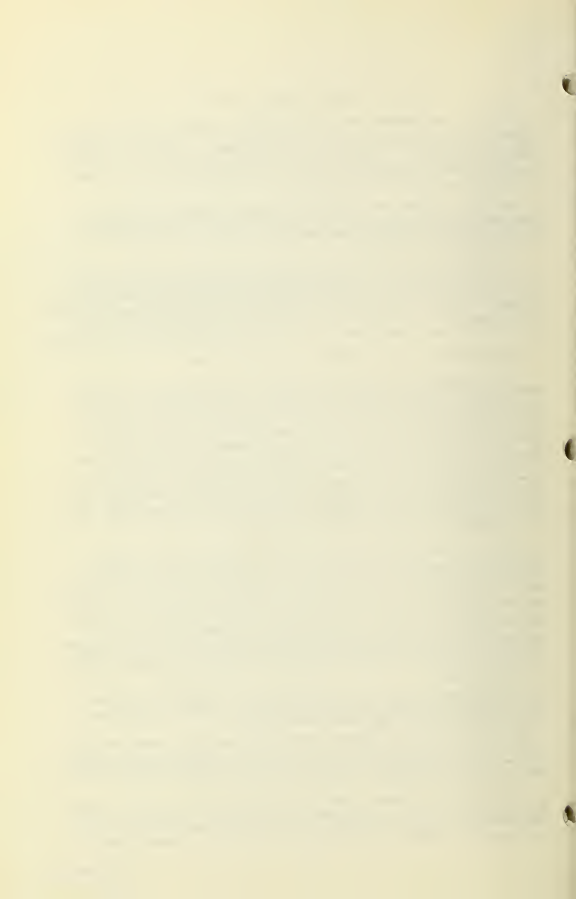
(c) Civil Service forms requesting leaves of absence under Section 3 and Section 4(b) of this rule shall be forwarded to the Civil Service Commission for review and approval, provided that the Civil Service Commission may authorize an appointing officer to review and act upon such request for leave of absence, and to retain the leave form in such manner as to be available for audit, review or analysis by the Civil Service Commission staff. When so authorized to approve and retain leave requests, the appointing officer shall certify on the timeroll that approval of leaves of absence has been in accordance with the provisions of law and rules of the Civil Service Commission. Appointing officers who are authorized to review and retain leave request forms are further authorized to withhold delivery of pay warrants to employees who fail to submit leave forms as required by this section. (Adopted 3/5/64 - Board of Supervisors Ordinance 86-64, effective 4/1/64.)

Section 3. WHEN LIMIT IS SIX MONTHS: Leave of absence to any officer or employee for the purpose of leaving the City and County, taking a position outside of the City and County service, or accepting a position in some department or office of the City and County other than the one in which he is employed and where the duties are in no way related to the duties covered by his civil service classification, shall be limited to six months and may not be extended beyond that time by renewal. After the employee has been on leave for an aggregate of six months, under the provisions of this section, and has returned to duty, no subsequent requests for leaves of absence for the purposes recited in this section shall be made by the employee or approved by the Civil Service Commission except -

(a) if the employee has been actually occupying a civil service position and continuously performing the duties thereof for a period of at least one year immediately prior to his latest request, and

(b) If the intent of the Charter and this Rule, namely, to prevent employees retaining status in their civil service positions for unduly long and extended periods while occupying other positions in or out of the San Francisco municipal service, is not circumvented by the granting of such leave.

Repeated leaves of absence without pay, which do not exceed five (5) working days and which therefore do not require the submission of a request for leave form, shall not be used to circumvent the intent of the Charter and of this rule as indicated in paragraph sub (b) of this section. (Section amended 2/20/53)





Section 4. WHEN WITHOUT LIMIT: (a) No limit shall be placed on a leave of absence granted to enable an officer or employee to accept promotion to a non-civil service position, or promotion to correlated work in another department or office of the City and County, or while serving under a limited tenure appointment as defined under Section 145.1 of the Charter in another classification.

(b) Sick leave, not subject to pay benefits, may be allowed for the period of the illness; provided that such sick leave may be terminated when in the judgment of the Civil Service Commission its further continuance would be detrimental to the service.

(c) Leaves of absence for sea duty as a licensed officer aboard ships operated by or for the United States Government shall be granted to officers and employees of the City and County of San Francisco, and non-certificated officers and employees of the San Francisco Unified School District in time of emergency declared by the President of the United States or by the Congress, or while any Act authorizing compulsory military service or training is in effect. Upon the expiration of a leave of absence granted under this section, the employee shall present to the Civil Service Commission proof that during such leave of absence he served continuously as a licensed officer aboard ships operated by or for the United States Government. Any officer or employee granted leave of absence in accordance with this section who engages in any occupation or pursuit other than that of a licensed officer aboard ships operated by or for the United States Government shall be considered as being absent from duty without leave and shall be subject to the provisions of Rule 33-"Absence From Duty Without Leave". (Adopted 2/14/51. Effective 4/21/51; Ordinance 6644.)

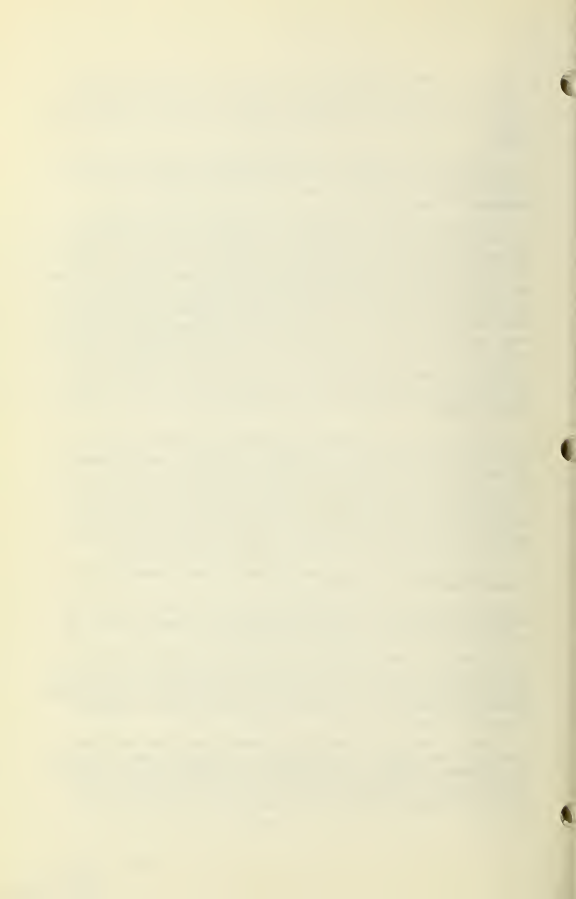
Section 5. Any employee, holding appointment to a permanent position under the City and County may, under the authority of Section 7 of the Charter and with the approval of the appointing officer and the Civil Service Commission, be granted a leave of absence from such position without pay, to secure additional education and training, in a recognized educational institution, that will make him more valuable in his position with the City and County, but such leave shall not exceed one year. Employees granted such leaves may not accept other employment during the period of such leaves without specific approval of the Civil Service Commission. Approval to accept other employment will only be granted for part time work and will not be given except -

(a) if the employment is necessary to finance or partly finance the contemplated studies of the employees, and

(b) if the Dean or other responsible official of the school at which the employee is enrolled as a student certifies that the employment will not interfere with the program of study of the employee.

Applications for Education Leaves under this section shall contain full information concerning the courses of study the employee desires to take, the school he intends to attend, the period of time over which the course extends, etc. Upon expiration of the leave and before return to duty the employee shall present to the Commission a transcript of his scholastic record during the period of his leave.

Section 6. EXPIRATION, CANCELLATION OR TERMINATION: Leaves of absence without pay shall remain in force for the period granted, unless cancellation or abridgement is allowed. No cancellation or abridgement of leave of absence without pay shall be allowed in any case when such action will cause a civil service appointee to be laid off, except in cases of leaves granted under Section 4 or Section 5 of this Rule. If cancellation of a leave granted



under Sections 4 or 5 of this Rule will result in the lay-off of an appointee, then at least two weeks prior notice of cancellation shall be given to the appointing officer. (Section amended 3/5/64) (Ord. 86-64 effective 4/1/64)

#### RULE 31.1. MILITARY LEAVES

##### Section 1. OFFICERS AND EMPLOYEES ELIGIBLE FOR LEAVES OF ABSENCE:

Appointing officers, with the approval of the Civil Service Commission, and subject to the provisions of the State Military and Veterans Code, and of Section 153 of the Charter, when such charter provisions are not in conflict with the provisions of the State Military and Veterans Code, shall grant military leaves of absence (hereinafter referred to as military leave) as hereinafter provided to any officer or employee of the City and County of San Francisco, or any non-certificated officer or employee of the Unified School District of said city and county (hereinafter referred to as employees), other than employees appointed under emergency authorization or civil service temporary appointment; provided that the appointment of an employee serving under temporary civil service appointment at the time of entrance into military service as hereinafter set forth shall be terminated upon such entrance into said service and his name shall be returned to the list of eligibles from which he was appointed, provided such eligible list is still in force and effect.

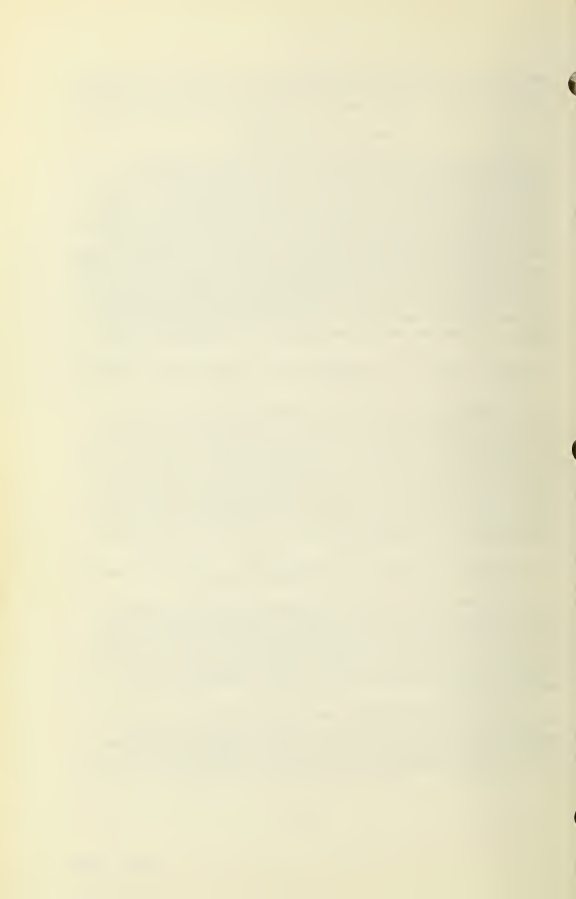
##### Section 2. MILITARY LEAVE; SERVICES FOR WHICH GRANTED; DURATION; AND WHEN WITH PAY:

(a) Employees who are members of the National Guard or Naval Militia, or members of the reserve corps or force in the federal military or naval service shall be granted military leave for a period not to exceed one hundred and eighty calendar days in any fiscal year while engaged in the performance of ordered military or naval duty, and while going to and returning from such duty; provided that in time of war or national emergency as proclaimed by the President or Congress or while any conscription act is in effect, employees shall be granted military leave for the period of military service and for a period not to exceed three months after the termination of such active military service but not later than six months after the end of the war, or after the end of the national emergency, or after the expiration of the national conscription act. (Amended 10/23/53)

(b) In time of war military leave shall be granted to employees for sea duty aboard ships operated by or for the United States Government.

(c) Employees granted military leave under the provisions of paragraph (a) of this section who have been in the employ of the City and County or the Unified School District for a period of not less than one year continuously prior to the date upon which military leave begins shall receive their regular salary or compensation for a period not to exceed thirty calendar days of such military leave in any fiscal year nor for more than thirty calendar days during any period of continuous military leave. (Amended 8/30/50) (See Ordinance No. 6285)

Section 3. CIVIL SERVICE STATUS: When any employee on military leave has been appointed to a permanent position, he shall be entitled to resume a position in the same class and department at the expiration of his military leave. Any employee granted military leave under the provisions of this rule who is serving a probationary appointment in his position at the time such



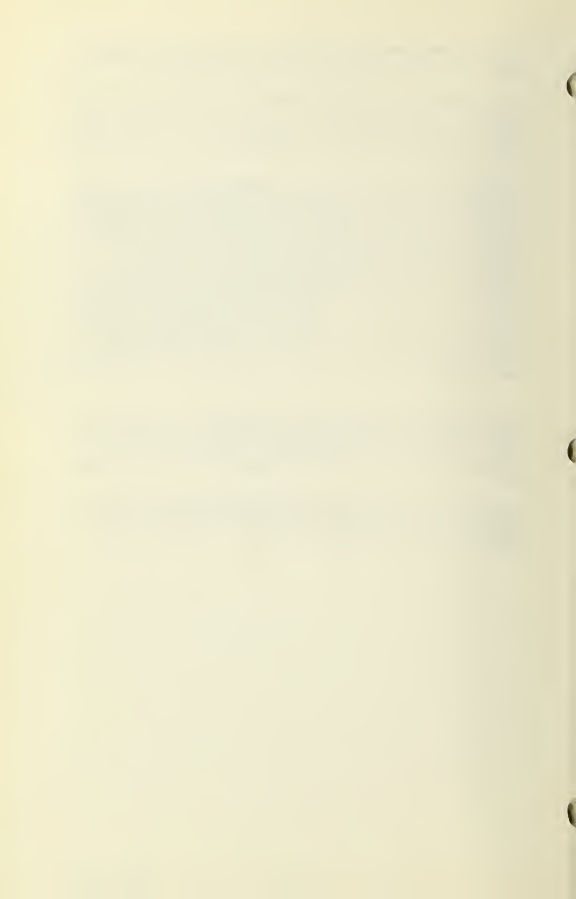
a) No reimbursement shall be made if the employee or officer is eligible to receive reimbursement for said tuition under a Federal or State veterans benefit program, or from other public funds.

b) An employee or officer whose application for training under the provisions of this section does not receive the recommendation of his appointing officer, may appeal to the Civil Service Commission. The Civil Service Commission shall then inquire into the reasons of the appointing officer's disapproval of such application and the Commission shall thereupon make such order as it deems just, which said order shall be final.

Section 3. TRAINING FOR WORK IN PRESENT CLASSIFICATION: An eligible employee or officer may apply to the Civil Service Commission through his appointing officer for reimbursement in a training course during or outside working hours for the purpose of improving himself in his present classification, given by an accredited educational institution; accredited educational institutions shall be defined as institutions whose courses offered for credit are acceptable for regular examination given by the San Francisco Civil Service Commission. The Commission shall be the judge of whether such training meets the criteria of improving performance in the employee's present job and whether the training can be provided through available in-service activities. Subject to the budgetary and fiscal provisions of the charter, the employee or officer shall be reimbursed for tuition, supplies, books, and other fees for such course if attendance has been approved in advance and funds have been appropriated and are available. If attendance is during regular working hours it shall be considered a duty assignment for the purpose of payment of salary.

a) An employee or officer whose application for training under the provisions of this section does not receive the recommendation of his appointing officer may appeal to the Civil Service Commission. The Commission shall then inquire into the reasons of the appointing officer's disapproval of such application, and the Civil Service Commission shall thereupon advise the appointing officer as it deems just.

Section 4. The Civil Service Commission shall be the judge of whether an educational institution is properly accredited for the purpose of this ordinance. The appointing officer shall consider the employee's record of performance in making his recommendations. (New rule adopted Min. 8-19-65)



## RULE 32 - SICK LEAVES WITH PAY

Section 1. GENERAL REQUIREMENT: The officers and employees of the City and County of San Francisco and non-certificated employees of the San Francisco Unified School District who are absent from their duties because of illness or disability as defined in this rule shall be granted sick leave with pay subject to the provisions of this rule. Sick leave with pay is a privilege recognized by Charter and by Ordinance of the Board of Supervisors and should be requested and granted only in cases of absence necessitated because of illness which incapacitates the employee for the performance of his duties or as defined below. An employee granted sick leave with pay shall not accept any other employment in which he is required to perform any duties and for which he is to receive any compensation in any form including salary, wage, fee, or emolument. In accordance with Charter provision, violation or abuse of the provisions of this rule will be deemed an act of insubordination and inattention to duties.

Section 2. DEFINITION OF SICK LEAVE: A leave of absence granted under this rule for one of the following reasons shall be known as "sick leave".

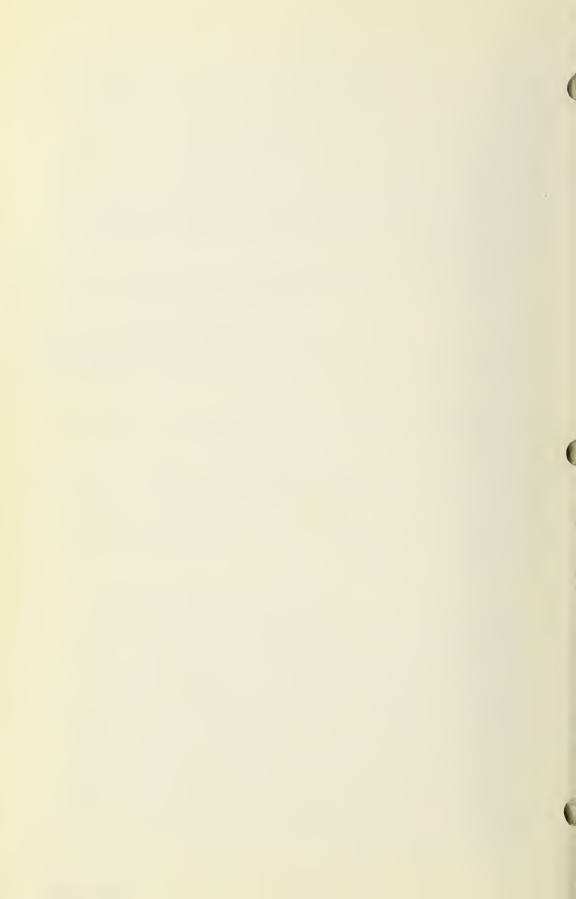
(a) Absence necessitated because of bona fide illness or injury other than illness or injury arising out of and in the course of employment. Absence due to illness or injury arising out of and in the course of employment is administered under the rules of the Retirement Board and is referred to as a "disability leave". Such disability leave may be supplemented by sick leave as provided in Section 5 of this Rule.

(b) Absence due to quarantine established and declared by the Department of Public Health or other competent authority, but only for the period of such quarantine.

(c) Absence necessitated by death of mother, father, husband, wife, child, brother or sister; provided that in such case the leave shall not extend beyond the date of burial of said deceased person, or shall not extend beyond the third day after the date of death of such relative, whichever is the earlier.

(d) Absence necessitated by death of other relatives, but leave with pay in such cases shall be for not more than one (1) day to permit attendance at the funeral of said person.

Section 3. PERIODS OF SICK LEAVE: Officers and employees who are subject to the provisions of Section 153 of the Charter, and who have served under appointment to a permanent position continuously for at least six months, and who are absent because of illness or injury as defined in Sections 1 and 2 (a) of this Rule, shall be entitled to sick leave with full pay during their occupancy of said positions at the rate of two weeks for each year of service or when less than a full year of service is involved, at a pro rated rate for each month of service. Officers and employees who are subject to the provisions of Section 153 of the Charter and who have occupied their positions under temporary appointment continuously for at least one year and who thereafter are absent because of illness or injury as defined in Sections 1 and 2 of this rule shall be entitled to sick leave with full pay during their occupancy of such positions at the rate of two weeks for each year of service, or after the first continuous year of service at a pro rated rate for each month of service when less than a full year of service is involved. Sick leave necessitated because of absences as defined in (b), (c), and (d) of Section 2 of this Rule may be granted without the necessity of occupying a position for any period of time and may be granted for the periods of time as indicated in Section 2. Sick leave of two weeks with pay when not used shall be cumulative but the accumulated unused period of sick leave shall not exceed six (6) months, regardless of the length of service, except as provided in Section 4 hereof.  
(Section 3 amended and approved by Board of Supervisors; Ordinance 405-60, effective August 5, 1960.)





### Section 3.1 - CALCULATION OF SICK LEAVE CREDITS.

a) Upon completion of service as herein required, permanent employees shall be credited with earning 12 working days of paid sick leave per completed year of paid service; provided that such earned sick leave shall be credited on a pro rata basis based upon the completion of regularly scheduled paid service for the employee's classification, excluding overtime, but including holidays and other paid absences.

b) Officers and employees who have occupied their positions under temporary appointment continuously for at least one year and who thereafter are absent because of illness or injury as defined in Sections 1 and 2 of this rule, shall be entitled to sick leave with full pay during their occupancy of such positions, which shall be calculated on the basis of number of hours worked multiplied by the factor .0384.

c) Sick leave with pay when not used shall be cumulative but the accumulated unused period of sick leave shall not exceed the equivalent of six (6) months regardless of the length of service, except as provided in Section 4 hereof.

A break in service of twenty (20) days by a temporary employee other than an employee designated "holdover temporary employee", will cause prior sick leave with pay earned to be cancelled.

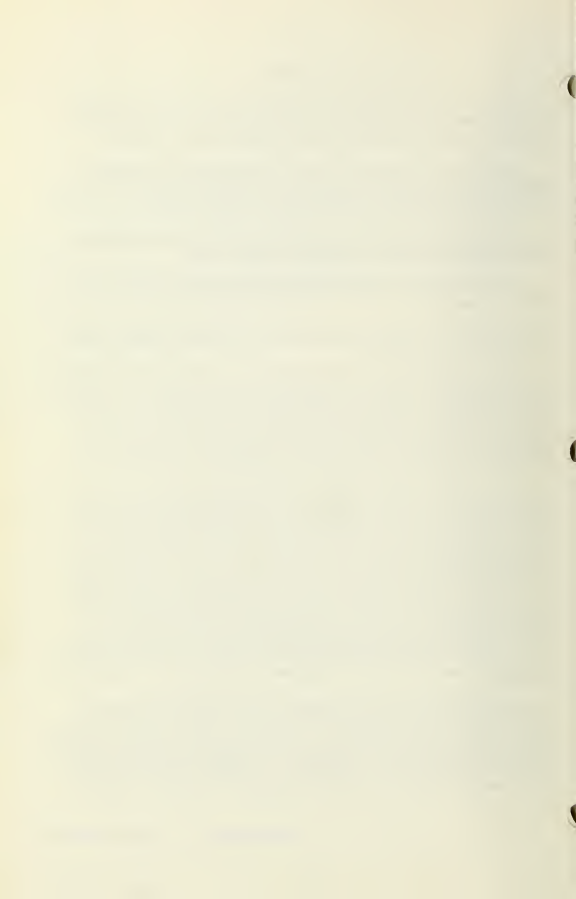
Section 3.2. Platform employees of the Municipal Railway who are paid for report time but who do not work a full day will accrue 8 hours work credit toward sick leave with pay benefits for such days.

Section 4. ACCUMULATION OF SICK LEAVE: Officers and employees shall be entitled to sick leave with pay according to the schedule in Section 3, in addition to sick leave necessitated because of absence due to quarantine or death of relatives until the maximum of an equivalent of six (6) months' accumulation has been reached, at which time deduction shall be made from accumulated sick leave credits of any absences due to quarantine or death of relatives; provided that when said maximum accumulation of an equivalent of six (6) months has been reached, and thereafter part of said maximum accumulation has been used, the used part of said maximum may again be replenished according to the schedule in Section 3 for each subsequent year of service.

Section 5. USE OF PARTIAL SICK LEAVE TO SUPPLEMENT DISABILITY LEAVE: Officers or employees of the City and County of San Francisco who are absent from duty because of disability arising out of and in the course of their employment, are governed by the provisions of the Workmen's Compensation Laws in Division 4 of the Labor Code of the State of California and such rules as may be made under authority thereof by the Industrial Accident Commission; and the allowance of benefits and leaves of absence of said persons, in accordance with the provisions of said Act, is under jurisdiction of the Retirement Board; provided that at the option of such officer or employee who is absent from duty because of incapacity caused by illness or injury arising out of and in the course of employment, salary may be paid and charged against earned and unused sick leave credits as authorized under Sections 3 and 4 hereof. Such salary so paid shall be the amount which when added to disability indemnity payable under such Workmen's Compensation Law, will equal the normal salary of the employee in his municipal position for his regular work schedule effective at the commencement of disability. Said salary shall be authorized on separate payrolls or timecards prepared by the department in which the officer or employee is engaged only after certification by the Retirement Board of the amount of said disability indemnity benefit if any paid for the period.

Provided further, that salary may be paid on regular payrolls and charged against earned and unused sick leave credits during the first seven calendar days of such absence without requiring a signed option statement by the officer or employee and without certification of the Retirement Board. Such salary shall be based on the employee's normal rate of pay and regular work schedule. In cases where such salary has been paid during such seven-day period and subsequently it is determined by the Retirement Board that the officer or employee is entitled to disability indemnity payments during such period, then provision shall be made for reimbursement to the appropriate city and

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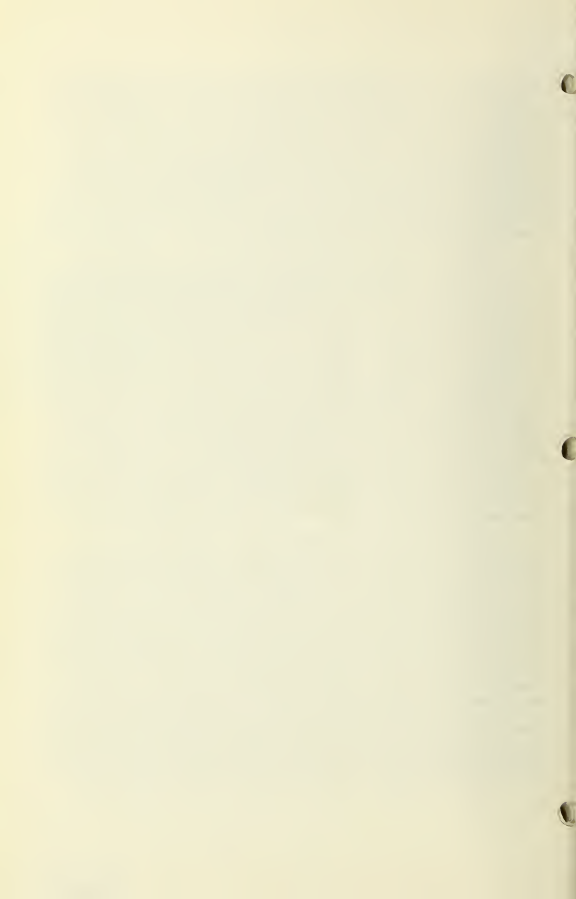


Section 4. ACCUMULATION OF SICK LEAVE: Officers or employees shall be entitled to an accumulation of two (2) weeks' sick leave with pay for each year of service, in addition to sick leave necessitated because of absence due to quarantine or death of relatives, until the maximum of six (6) months' accumulation has been reached, at which time deduction shall be made from accumulated sick leave credits of any absences due to quarantine or death of relatives; provided that when said maximum accumulation of six (6) months has been reached, and thereafter part of said maximum accumulation of six (6) months has been used, the used part of said maximum may again be replenished at the rate of two (2) weeks for each subsequent year of service. Sick leaves with pay allowed since the present Charter became effective on January 8, 1932 shall be deducted from the above-mentioned accumulations.

Section 5 USE OF PARTIAL SICK LEAVE TO SUPPLEMENT  
DISABILITY LEAVE:

Officers or employees of the City and County of San Francisco who are absent from duty because of disability arising out of and in the course of their employment, are governed by the provisions of the Workmen's Compensation Laws in Division 4 of the Labor Code of the State of California and such rules as may be made under authority thereof by the Industrial Accident Commission; and the allowance of benefits and leaves of absence of said persons, in accordance with the provisions of said Act, is under jurisdiction of the Retirement Board; provided that at the option of such officer or employee who is absent from duty because of incapacity caused by illness or injury arising out of and in the course of employment salary may be paid and charged against earned and unused sick leave credits as authorized under Sections 3 and 4 hereof. Such salary so paid shall be the amount which when added to disability indemnity payable under such Workmen's Compensation Law, will equal the normal salary of the employee in his municipal position for his regular work schedule effective at the commencement of the disability. Said salary shall be authorized on separate payrolls or timecards prepared by the department in which the officer or employee is engaged only after certification by the Retirement Board of the amount of said disability indemnity benefit if any paid for the period.

Provided further that salary may be paid on regular payrolls and charged against earned and unused sick leave credits during the first seven days of such absence without requiring a signed option statement by the officer or employee and without certification of the Retirement Board. Such salary shall be based on the employee's normal rate of pay and regular work schedule. In cases where such salary has been paid during such seven-day period and subsequently it is determined by the Retirement Board that the officer or employee is entitled to disability indemnity payments during such period, then provision shall be made for reimbursement to the appropriate city and county fund of an amount derived from such disability indemnity payments as shall reduce the amount of sick leave salary paid from such fund, to what it would have been if partial salary had been paid as provided above to supplement the disability indemnity payments to which the officer or employee subsequently became entitled, and the record of the employees earned and unused sick leave credits shall be adjusted accordingly. The reimbursement and readjustment procedure described in this paragraph shall apply also to any case in which an officer or employee receives sick leave salary because of an absence not then known to be due to disability caused by illness or injury arising out of and in the course of



county fund of an amount derived from such disability indemnity payments as shall reduce the amount of sick leave salary paid from such fund, to what it would have been if partial salary had been paid as provided above to supplement the disability indemnity payments to which the officer or employee subsequently became entitled, and the record of the employee's earned and unused sick leave credits shall be adjusted accordingly. The reimbursement and readjustment procedure described in this paragraph shall apply also to any case in which an officer or employee receives sick leave salary because of an absence not then known to be due to disability caused by illness or injury arising out of and in the course of employment but is subsequently determined to be due to such disability. Payment of sick leave salary followed by reimbursement to the appropriate city and county fund from disability indemnity benefits shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits up to the amount of such benefits used as reimbursement.

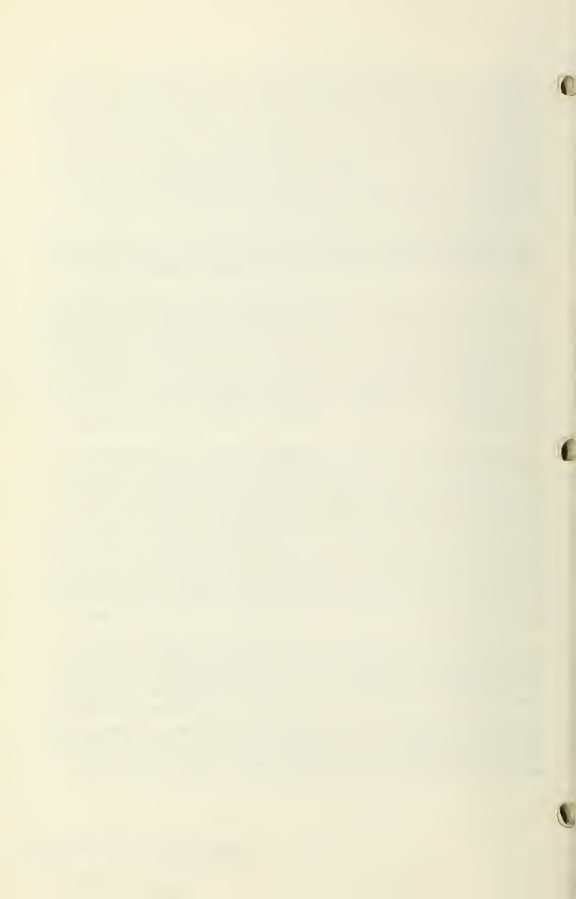
**BONUS SICK LEAVE CREDITS:** At such time as an employee uses sick leave with pay to supplement disability payments for Workmen's Compensation, sick leave with pay credits shall thereafter be earned at a rate of two times the regular rate until the amount of sick leave credits used to supplement disability payments for Workmen's Compensation is made up.

**Section 6. APPLICATION FOR SICK LEAVE:** Applications for sick leave, as defined in Sections 1 and 2 of this rule, shall be made to the head of the department in which the person making said application is employed; provided that the Manager of Utilities, the Director of Public Works, the Director of Public Health and the Director of Finance and Records may authorize the head of any department, bureau, division or officer, under their respective jurisdiction, to grant and approve the allowance of sick leaves of absence. When any application for a sick leave of absence is denied by the respective persons herein authorized to grant the same, the applicant may appeal to the Civil Service Commission from said denial, and the said Commission shall cause the facts on which said application is based to be investigated and may, upon said investigation, make such order in the premises as said Commission shall deem just, which said order shall be final.

No sick leave exceeding five (5) days shall be granted to any person unless there is presented by the person asking for said sick leave and with the application therefor, a physician's certificate stating the necessity for said sick leave, provided however, that a certificate of a doctor of dental surgery stating the necessity for sick leave because of oral surgery may be accepted, and provided further a statement from an accredited Christian Science practitioner or one authorized to practice as such by the First Church of Christ Scientist in Boston, Massachusetts, certifying to treatment and the need therefor may be accepted in lieu of a physician's certificate covering illness of a person who is an adherent to the teachings of Christian Science and relies thereon for healing. The head of the department or other officer to whom said application is made may make such independent investigation as to the necessity for said sick leave as he shall deem proper. When, in the case of a sick leave, pay is allowed for the period of the first five days, or any part thereof, the officer, board or commission granting the same shall certify to the Civil Service Commission that he has investigated the case and has found it deserving. Illness caused by illegal conduct shall not be made the basis of any sick leave.

A doctor's certificate will be required for any sick leave with pay in excess of 2 days taken within the two month period immediately preceding resignation or relinquishment, provided that if an employee leaves the service by resigning or relinquishment, and has been granted sick leave with pay in excess of 2 days during the aforementioned two month period and has not presented a doctor's certificate, the amount of such sick leave with pay shall be withheld from his final check or his retirement contributions.

If there is a break in service of more than two weeks following relinquishment, prior sick leave credits shall be lost; employees must start anew to earn sick leave with pay credits; provided that if an eligible withdraws a waiver within two working days following relinquishment, such break in service shall be extended to thirty calendar days before prior sick leave credits shall be lost.



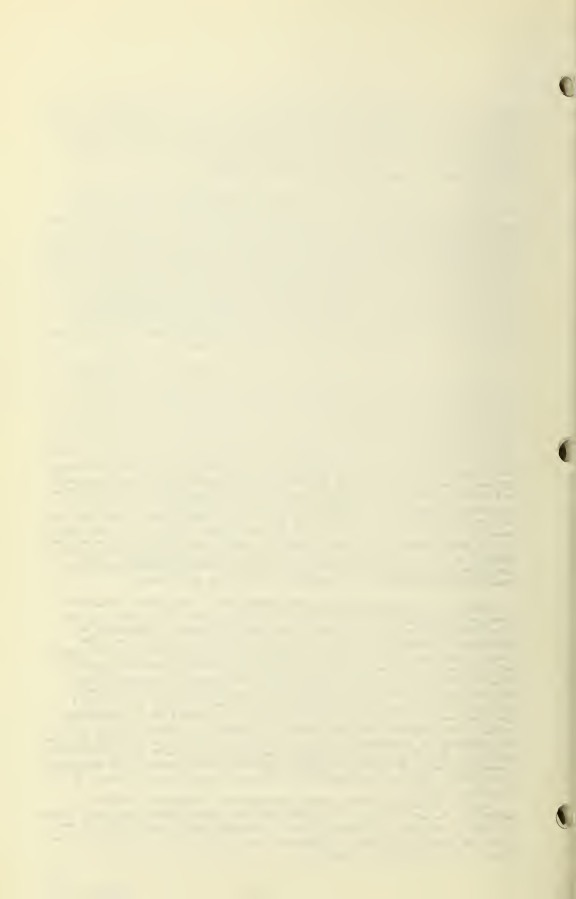
employment but is subsequently determined to be due to such disability. Payment of sick leave salary followed by reimbursement to the appropriate city and county fund from disability indemnity benefits shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits up to the amount of such benefits used as reimbursement. (Section amended 8/29/57; Board of Supervisors Ordinance No. 10477)

**Section 6. APPLICATION FOR SICK LEAVE:** Applications for sick leave, as defined in Sections 1 and 2 of this rule, shall be made to the head of the department in which the person making said application is employed; provided that the Manager of Utilities, the Director of Public Works, the Director of Public Health and the Director of Finance and Records may authorize the head of any department, bureau, division or officer, under their respective jurisdictions, to grant and approve the allowance of sick leaves of absence. When any application for a sick leave of absence is denied by the respective persons herein authorized to grant the same, the applicant may appeal to the Civil Service Commission from said denial, and the said Commission shall cause the facts on which said application is based to be investigated and may, upon said investigation, make such order in the premises as said Commission shall deem just, which said order shall be final.

No sick leave exceeding five (5) days shall be granted to any person unless there is presented by the person asking for said sick leave and with the application therefor, a physician's certificate stating the necessity for said sick leave, provided however, that a certificate of a doctor of dental surgery stating the necessity for sick leave because of oral surgery may be accepted, and provided further, a statement from an accredited Christian Science practitioner or one authorized to practice as such by the First Church of Christ Scientist in Boston, Massachusetts, certifying to treatment and the need thereof may be accepted in lieu of a physician's certificate covering illness of a person who is an adherent to the teachings of Christian Science and relies thereon for healing. The head of the department or other officer to whom said application is made may make such independent investigation as to the necessity for said sick leave as he shall deem proper. When, in the case of a sick leave, pay is allowed for the period of the first five days, or any part thereof, the officer, board or commission granting the same shall certify to the Civil Service Commission that he has personally investigated the case and has found it deserving. Illness caused by dissipation or by immoral conduct shall not be made the basis of any sick leave.

**Section 7. REPORTS TO CIVIL SERVICE COMMISSION:** The officer, board or commission granting sick leave shall immediately report the action to the Civil Service Commission, provided that the Civil Service Commission may authorize an appointing officer to review and act upon such request for leave of absence and to retain the leave form in such manner as to be available for audit, review or analysis by the Civil Service Commission staff. When so authorized to approve and retain leave requests, the appointing officer shall certify on the timeroll that approval of leaves of absence has been in accordance with the provisions of law and rules of the Civil Service Commission. Appointing officers who are authorized to review and retain leave request forms are further authorized to withhold delivery of pay warrants to employees who fail to submit leave forms as required by this section. The Civil Service Commission may at any time make such independent investigation as it shall deem proper regarding the illness of any person on sick leave. (Section amended 3/5/64) (Board of Supervisors Ordinance 86-64) Effective 4/1/64.

**Section 8. RETIREMENT ON PENSION AUTOMATICALLY TERMINATES LEAVE OF ABSENCE:** Whenever a leave of absence has been granted under this rule to any officer or employee, and such officer or employee during such leave is retired on pension, his leave of absence shall automatically terminate on the date of his retirement on pension.





Section 7. **REPORTS TO CIVIL SERVICE COMMISSION:** The officer, board or commission granting sick leave shall immediately report the action to the Civil Service Commission, provided that the Civil Service Commission may authorize an appointing officer to review and act upon such request for leave of absence and to retain the leave form in such manner as to be available for audit, review or analysis by the Civil Service Commission staff. When so authorized to approve and retain leave requests, the appointing officer shall certify on the timeroll that approval of leave of absence has been in accordance with the provisions of law and rules of the Civil Service Commission. Appointing officers who are authorized to review and retain leave request forms are further authorized to withhold delivery of pay warrants to employees who fail to submit leave forms as required by this section. The Civil Service Commission may at any time make such independent investigation as it shall deem proper regarding the illness of any person on sick leave.

Section 8. **RETIREMENT AUTOMATICALLY TERMINATES LEAVE OF ABSENCE:** Whenever a leave of absence has been granted under this rule to any officer or employee, and such officer or employee during such leave is retired, his leave of absence shall automatically terminate on the date of his retirement.

Section 9. **POLICE AND FIRE DEPARTMENTS:** Sick leaves granted to members of the uniformed forces of the Police and Fire Departments shall be regulated by rules adopted respectively by the Police and Fire Commission, which rules and amendments thereto shall be subject to the approval of the Civil Service Commission, and when so approved by the Civil Service Commission shall be deemed as included in this rule; provided that calculations of sick leave with pay credits for employees of the uniformed forces of the Police and Fire Departments shall be as provided in Section 3.1 of this rule.

Section 10. **POSITIONS TO WHICH THIS RULE SHALL NOT APPLY:** The provisions of this rule shall not apply to certificated employees of the Board of Education for whom sick leaves with pay are governed by State law, nor to positions of patrol special officers appointed by the Police Commission.

Section 11. **TIMEROLLS:** Sick leaves with pay granted under this rule shall be indicated on timerolls by appropriate symbols designated by the Controller.

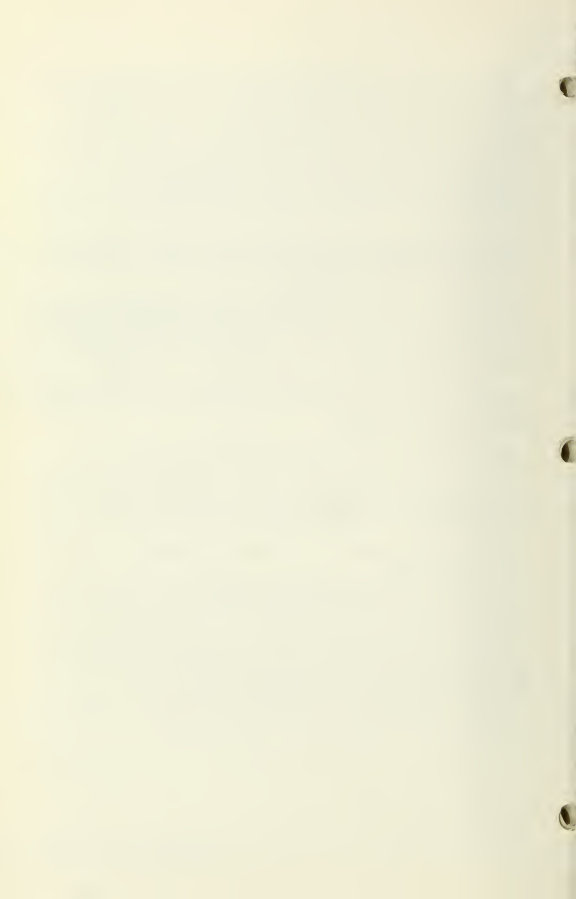
Section 12. **Unused overtime credits for executive, administrative and professional personnel who do not receive premium pay for overtime worked, may with the approval of the appointing officer, be credited to sick leave account when sick leave has been exhausted; such overtime credits shall be limited to overtime earned during the current or prior fiscal year.**

Section 13. **SICK LEAVE CREDITS - WHEN NOT EARNED:** Sick leave credits may not be earned for overtime worked.

Section 14. **SICK LEAVE EARNINGS - PART TIME EMPLOYEES:** If an officer or employee working full time in one city department earns sick leave with pay for the full time position, and has permission to be employed on a part-time basis in another city department, such employee shall not earn sick leave credits for the part-time position.

Section 15. **OPENING BALANCE CREDITS:** When the new provisions for calculating sick leave credits are in force, the opening balance credit shall be the number of hours of sick leave with pay credit recorded on the official records in the Civil Service Commission as of January 1, 1969; sick leave credits subsequent to this date shall be maintained in accordance with the provisions of this rule.

Section 16. **EFFECTIVE DATE:** This sick leave rule shall be effective on January 1, 1969. (Approved Board of Supervisors Ord. No. 296-68 - 10-21-68)



Section 9. POLICE AND FIRE DEPARTMENTS: Sick leaves granted to members of the uniformed forces of the Police Department and Fire Department shall be regulated by rules adopted respectively by the Police Commission and Fire Commission which rules, and amendments thereto, shall be subject to the approval of the Civil Service Commission, and when so approved by the Civil Service Commission shall be deemed as included in this rule.

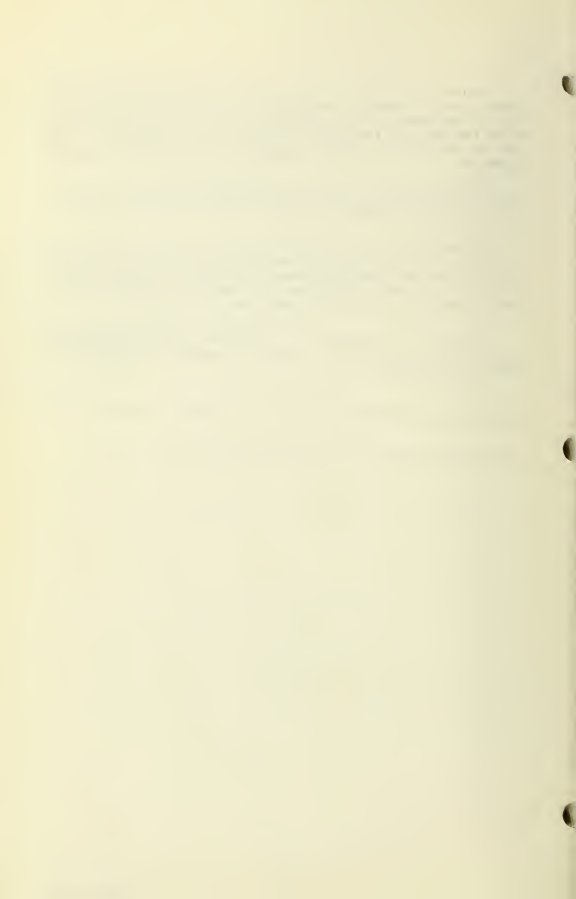
(SICK LEAVE RULES OF THE POLICE AND FIRE DEPARTMENTS APPROVED BY CIVIL SERVICE COMMISSION 12-5-52), (8-29-57), (4-9-59), BOARD OF SUPERVISORS ORDINANCE 302-59.

Section 10. POSITIONS TO WHICH THIS RULE SHALL NOT APPLY: The provisions of this rule shall not apply to certificated employees of the Board of Education for whom sick leaves, with pay, are governed by State Law, nor to positions of patrol special officers appointed by the Police Commissioner.

Section 11. TIMEROOLS: Sick leaves, with pay, granted under this rule shall be indicated on timeroolls by appropriate symbols designated by the Controller.

(SICK LEAVE RULE ADOPTED BY C.S.C. 12-5-52; SECTION 4 AMENDED 4-10-53)

(SICK LEAVE ORDINANCE NO. 7877 APPROVING RULE, EFFECTIVE 5-17-53)



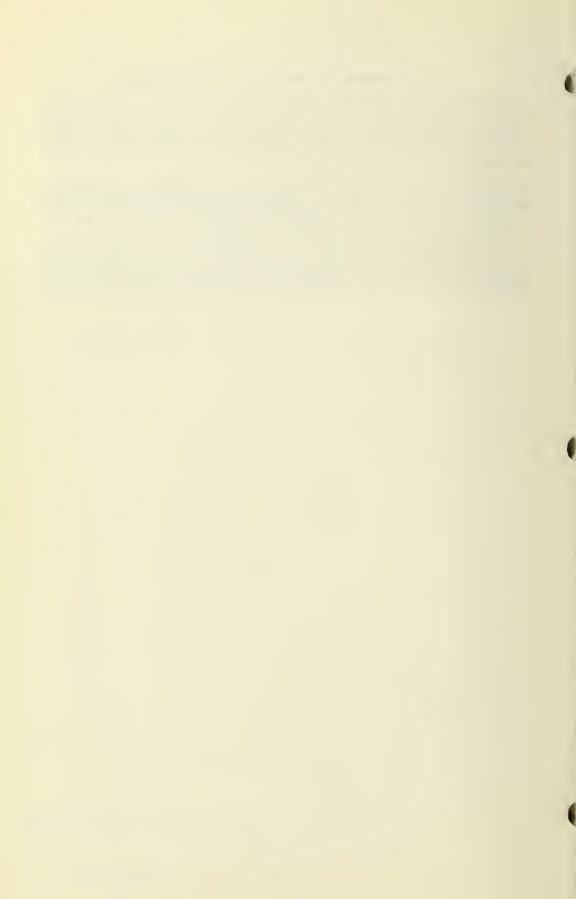
### **RULE 33. ABSENCE FROM DUTY WITHOUT LEAVE**

**ABSENCE FROM DUTY:** Absence from duty without leave or permission from the head of the department, or failure to report for duty at the expiration of leave of absence or vacation, or failure of a holdover as defined in Rule 23 to report for duty when notified to do so by the Civil Service Commission, shall be considered "inattention to duties" within the meaning of Section 154 of the Charter and shall be good cause for suspension or dismissal under the provisions of the said Section 154.

**APPOINTING OFFICERS:** Appointing officers shall immediately investigate and report to the Civil Service Commission such instances of absence without leave or permission, or failure to report for duty at the expiration of leave of absence or vacation, or failure of a holdover to return to duty, and shall initiate disciplinary proceedings against such employees pursuant to the provisions of Section 154 of the Charter.

Should the appointing officer refuse or neglect to initiate such proceedings, the Personnel Director and Secretary of the Civil Service Commission shall report such facts to the Commission and shall prepare and file with the Commission, charges of inattention to duties against such employees, setting forth therein all the facts and circumstances pertinent thereto.

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## RULE 35. SALARY INCREASE

All officers and employees subject to salary standardization shall enter the service at the minimum rate for the class involved as set up in the currently existing salary ordinance unless such ordinance shall specifically provide otherwise, and shall advance to the maximum rate for such class in accordance with the provisions of such ordinance. Persons appointed under Section 4 of Rule 24 as an emergency appointee shall be paid the minimum rate established for the class involved, provided that where the salary ordinance specifically provides for certain classes that employees shall enter the service at other than the entrance salary, such emergency employees shall be governed by such provisions.

## RULE 36: HOLDING OF MORE THAN ONE POSITION

Except with the approval of the Civil Service Commission as herein provided, no person holding a position under civil service appointment in this jurisdiction shall accept any employment, position or service, in or out of the service of the San Francisco municipal government, in which he is required to perform any duties and for which he is to receive any compensation in any form including salary, wage, fee, commission or emolument.

Such persons who desire to accept other employment in addition to their regular municipal employment must make a request of the Civil Service Commission for such permission on a form provided by the Commission. The request must first have the approval and affirmative recommendation of the officer having appointive power over the full time civil service position of the employee who is making the request. The request must contain a statement reporting the nature of the other employment or service which the employee desires to undertake and the duties thereof; the usual place of the employment or service; the approximate total number of hours of service required of the employee per week, and the work schedule; and the name of the person, firm, or official for whom, or under whom, the service is to be performed and a statement by such person to the effect that he understands that the employee is regularly employed in the city and county service on a full time basis.

The Civil Service Commission, on the basis of investigation and report by the Personnel Director and Secretary shall decide whether the performance of the duties of the other employment or service will impair the efficiency of such employee in his regular civil service employment or interfere in any way with the full and proper performance of the duties of his regular civil service position, or if the performance of the other service may be contrary to the best interests of the city service in any respect or may lead to situations which would reflect discredit on the city service. If in the opinion of the Commission the acceptance of such other service by such employee would in any manner impair the efficiency of the employee in the performance of his regular municipal duties or interfere therewith, or that the acceptance of the other service may be contrary to the interests of the city service or may lead to situations which would reflect discredit on the city service, the Commission shall deny such request. The Commission will not approve any request to accept other service which under any circumstances will require more than 24 hours per week of work or service, nor when the combined work schedules of the other service and the municipal employment exceed eleven (11) hours on any day, nor any request which entails any duty whatsoever of the employee during his regular municipal work schedule. Exception to the limitation of 11 hours of employment on any day may be made by the Commission when the additional employment is for the purpose of accepting relief assignments in emergency services of the City and County Government, and when such emergency services are unable to obtain other personnel for such relief assignments. (AMENDED, MINUTES 7-6-55 AND 1-11-56)

The Personnel Director and Secretary shall withhold approval of the salary of any such employee who accepts any other position, employment or service, except in accordance with the provisions of this rule and the acceptance of any such other employment or service except in accordance with this rule shall be deemed insubordination and subject to disciplinary procedure as provided in section 154 of the charter.



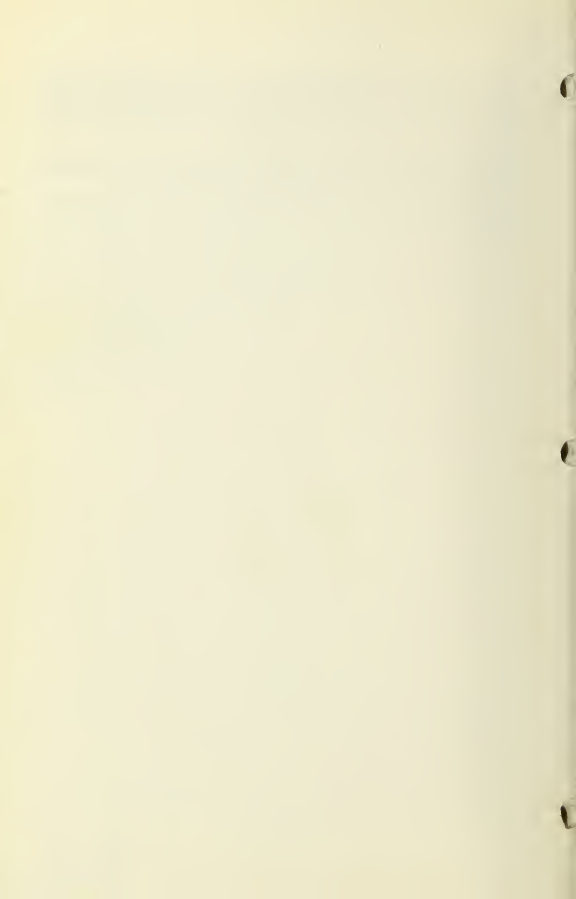


For purposes of this rule the term "employment" or "service" when used in connection with employments or service elsewhere than in the municipal service, includes also positions as well as any service performed or to be performed by an employee in addition to that performed by him in his regular civil service position. The term "compensation" means any form of payment in cash or in kind for the performance of services rendered including salaries, wages, fees, commissions or other emoluments.

The term "employee" when used in connection with employment within the city and county government means also "officer," and the term "position" when used in connection with the municipal service means also "office."

The provisions of this rule do not apply to members of the Police or Fire Departments.

AMENDED, MINUTES 7.6.1955.



## RULE 41. REGULAR AND SPECIAL MEETINGS

**Section 1. REGULAR MEETINGS:** The Commission will meet in regular session in the meeting room of the Fire Commission in the City Hall every Thursday. The meeting shall convene at 4:00 o'clock P.M., provided, however, that in the interest of the proper conduct of public business, an earlier hour may be set for a special meeting, in which event the General Manager, Personnel, shall give due notice thereof similar to the announcement of a special meeting. A regular meeting shall not be closed or adjourned before 5:30 P.M.; however, nothing contained herein shall be construed as barring the Commission from recessing from time to time during the continuance of the meeting.

Communications requiring action by the Civil Service Commission and original petitions, or original requests for rulings, must be filed in writing in the office of the Commission before 12 o'clock noon Tuesday, and when so filed, will be heard at the regular meeting to be held on Thursday next following, provided, however, that the General Manager, Personnel, shall prepare a supplemental calendar of matters received up to 11:00 A.M. Thursday, which in his judgment requires immediate attention of the Commission, and the Commission may hear such matters. Persons filing communications, petitions or requests shall, without further notice, be present at such hearings. No oral requests for ruling will be considered at a meeting. Communications not requiring action by the Civil Service Commission under these rules shall be processed by the General Manager, Personnel, as provided by these rules, and proper notations thereof shall be made on pertinent records.

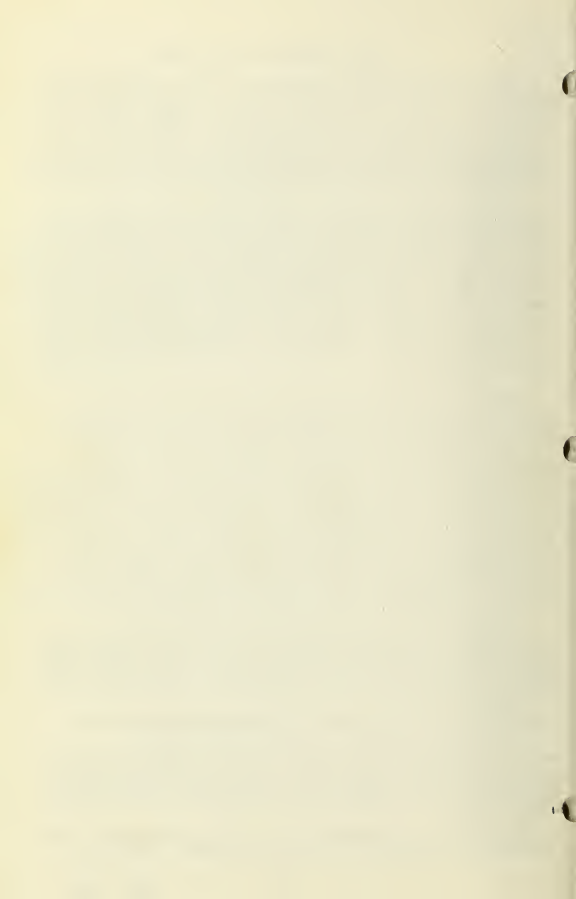
Request for reconsideration shall be filed in writing, specifying the reasons therefor, and must be received in the office of the Civil Service Commission not later than the thirtieth day after the date, as entered in the records of the Commission, of mailing of notification of the action of the Commission to the appellant; provided that a request for reconsideration of a Commission action dealing with protests concerning examination announcements, qualifications of applicants, tentative rating key answers or examination ratings will not be granted unless the request for reconsideration is filed in the office of the Civil Service Commission before 12 o'clock noon on the sixth calendar day following the action by the Commission. Notification of action of the Commission shall be mailed not later than the day following such action. If the reason for the request is that the petitioner desires to submit new information not previously considered by the Commission, the petition shall set forth such new information in detail. No oral arguments shall be heard in connection with the request for reconsideration. If the Commission shall deny the request for reconsideration, no further such request for reconsideration shall thereafter be considered by the Commission. (Section adopted as amended 3/5/64)

An employee who makes a petition which is denied by the General Manager, Personnel, under authority of these rules may within thirty days thereafter appeal such decision to the Civil Service Commission, and such appeal shall be deemed a request for reconsideration as provided by the rule. Such request for reconsideration shall be made in writing by the employee and shall be subject to the provisions of this rule.

Requests for ruling on moot questions or hypothetical questions will be filed without discussion or decision. (Section amended 7/25/63)

**Section 2. SPECIAL MEETINGS:** A special meeting of the Commission may be called by the President of the Commission, and must be called by the President upon written request of a majority of the members of the Commission. At least twenty-four hours' notice shall be given of the holding of a special meeting. No business shall be transacted at a special meeting except that for which the meeting is called.

Special meetings of the Commission for the purpose of considering and adopting examination questions shall not be open to the public. (Section 19.)



## RULE 47. LIMITED TENURE APPOINTMENTS

Section 1. PROCEDURE: Whenever eligibles from regularly established lists are not available for appointment, the Civil Service Commission may authorize appointing officers to qualify applicants for limited tenure appointment in accordance with the provisions of Section 145.1 of the Charter and of this rule. The term "appointing officer", as used herein, shall mean the appointing officer or his designated representative.

When an approved requisition filed in accordance with Rule 19 is received in the office of the Civil Service Commission and no regularly qualified eligible is available for appointment in response to such requisition, the Civil Service Commission will, in writing, so inform the appointing officer and will authorize the appointing officer to fill such requisition by limited tenure appointment. Public notice of such authorization to make a limited tenure appointment shall be posted on the official bulletin board of the Civil Service Commission. Any prior non-civil service appointment authorized on such requisition in accordance with Rule 24 shall terminate immediately upon certification of a limited tenure appointee but not later than ten days from the date of authorization of a limited tenure appointment, provided that with the approval of the General Manager, Personnel, such ten-day limitation may be extended at the written request of the appointing officer showing good reason for such extension. When limited tenure appointment is authorized, the appointing officer shall enter in the "Remarks" column of the timeroll opposite the name of the non-civil service appointee the date of such limited tenure appointment authorization and the date of any extensions of the non-civil service appointment if limited tenure appointment was not made within the ten-day time limit.

Upon receipt of authorization to fill a position through limited tenure appointment, the appointing officer shall do necessary recruiting and shall have the applicant or applicants complete the special limited tenure application form provided by the Civil Service Commission.

Limited tenure applicants must be citizens of the United States and unless residence has been waived, must be residents of the City and County of San Francisco for at least one year prior to making application. Applicants must meet the minimum qualifications of training and experience as established in the official class specification adopted by the Civil Service Commission. Upon showing by the appointing officer that applicants possessing such minimum qualifications are not available, the General Manager, Personnel, may authorize other training and experience qualifications for limited tenure appointees.

If the vacancy is in an entrance classification, the limited tenure applicant shall be given an oral examination and/or other tests by the appointing officer and such examination(s) shall be adequate to test the capacity of the applicant to perform the duties of the position. The appointing officer shall also check with the office of the Civil Service Commission to ascertain that the applicant has not been previously rejected for city employment for medical or other reasons. The first applicant to be qualified for limited tenure appointment to the position to be filled shall be appointed, and no further applications for such position shall be accepted by the appointing officer.

If the vacancy is in a promotive classification, the Civil Service Commission will authorize limited tenure appointment from designated next lower rank(s) and the appointing officer shall appoint the employee with the highest seniority in the department in such next lower rank(s) who will accept such appointment.

The appointing officer shall complete the following forms to be provided by the Civil Service Commission: (1) The special certification to limited tenure form; and (2) the limited tenure employment history card.

**SUPERSEDED**

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Section 2. RESIGNATION: Limited tenure appointees desiring to resign from their employment shall complete the special limited tenure resignation form provided by the Civil Service Commission. Any further limited tenure employment of an employee who has resigned shall be subject to the limited tenure examination and appointment procedures as provided in Section 1. (Amended 9/24/64)

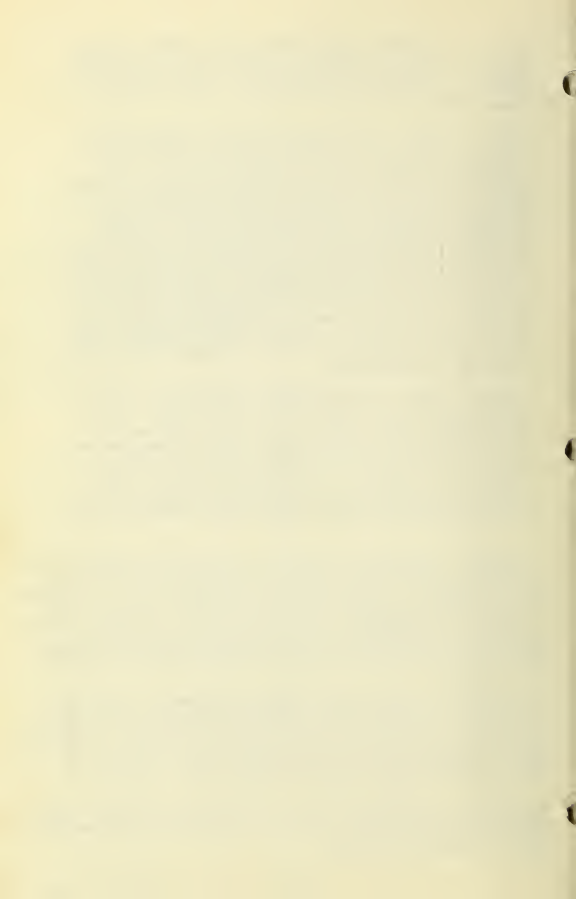
Section 3. LAY-OFF: When the lay-off of a limited tenure appointee is required, the limited tenure appointee with the least seniority in the class in the department shall be laid off first, provided that seniority of permanent and temporary limited tenure appointees shall be treated separately, and provided further that the seniority of temporary appointees shall be in accordance with the inverse order of rank in the class in the department, and provided further that the appointing officers in the Departments of Public Health, Public Works, Public Utilities, and Finance and Records may designate that lay-offs shall be by bureau or division within their respective departments. Except in the case of recertification on a requisition continuing a temporary appointment, further limited tenure employment of a limited tenure appointee who is laid off shall be subject to the limited tenure examination and appointment procedures as provided in Section 1. When a regular eligible list is adopted and a regular eligible is certified to replace a limited tenure appointee, the authorization for such limited tenure appointment shall be automatically cancelled, and the limited tenure appointee shall be automatically laid off, and no further authorization for limited tenure appointments in that class will be authorized as long as any eligible is available for appointment from the regular eligible list. (Amended 11/8/62)

Section 4. ABSENCES: Except for military leave or sick leave with or without pay in the case of permanent limited tenure appointees, limited tenure appointees will not be granted formal leaves of absence. A leave of absence without pay for personal reasons shall not be approved for a period of more than two consecutive weeks. Appointing officers shall determine whether the absence of a limited tenure appointee is justified, or whether the appointment shall be terminated. If the appointment is not terminated, the appointee shall be shown on the timeroll as on personal leave without pay. Sick leave with or without pay or military leave shall be granted in accordance with the rules and procedures governing regular civil service appointees. (Amended 11/8/62)

Section 5. TERMINATION FOR CAUSE: Limited tenure appointments may be terminated by the appointing officer for good cause at any time, subject to approval of such termination by the Civil Service Commission. The appointing officer shall advise the Commission of the termination of limited tenure appointees for cause and state the reasons for such termination. The Commission shall make such order as it deems just and proper in the circumstances. The termination of a limited tenure appointment by the appointing officer for good cause shall be without reference to the procedures governing removals set forth in Section 154 of the Charter.

Section 6. EXPERIENCE GAINED UNDER LIMITED TENURE APPOINTMENT: No person holding a limited tenure appointment shall acquire any right to permanency in the position held under such appointment, but satisfactory service under a limited tenure appointment will be accepted toward minimum experience required for admission to a regular civil service examination when the experience under such limited tenure appointment is deemed acceptable by the Civil Service Commission.

Section 7. A regular civil service employee who accepted limited tenure promotive appointment shall be reinstated to his regular civil service status upon lay-off, termination or resignation from such limited tenure promotive appointment. (Rule 47 amended Min. 7-5-62.)





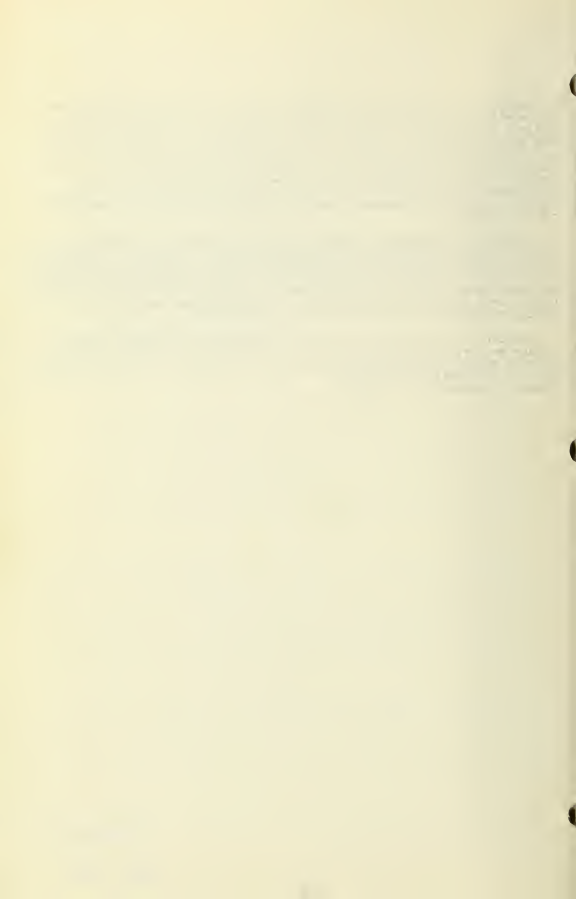
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(Rule 47 amended Min. 7-5-62.)

SUPERSEDED

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#### **RULE 48. SIMILAR PROMOTIONAL EXAMINATIONS**

**Section 1. RULES GOVERNING "SIMILAR" PROMOTIONAL EXAMINATIONS:** In accordance with Section 146.1 of the Charter, similar promotional examinations shall be administered in accordance with established rules and procedures governing promotional examinations, except as otherwise provided in this rule.

**Section 2. MARKING AND GRADING PAPERS:** The examination papers in a similar promotional examination shall be marked and graded in accordance with the methods and procedures used in marking and grading the original promotional examination.

**Section 3. VETERAN'S PREFERENCE:** Applicants participating in a similar promotional examination shall not be granted veteran's preference for military service when such military service was the service through which the applicant gained the right to participate in the similar promotional examination.

**Section 4. CITY AND COUNTY SERVICE AND ASCERTAINED MERIT:** An applicant participating in a similar promotional examination shall not be granted credit for city and county service, or credit or demerit for ascertained merit for any time subsequent to the official beginning date as announced in the scope-circular for the original promotional examination.

**Section 5. POSTING OF TENTATIVE LIST:** A tentative list of the participants in a similar promotional examination who obtained a rating equal to or more than the minimum passing mark established by the Civil Service Commission in the original promotional examination shall be posted in the office of the Civil Service Commission for a period of two weeks, during which time such participants may inspect their own examination papers in accordance with the provisions of Rule 12, Section 2-B. Such tentative list shall show the tentative ranking of the participants upon the eligible list resulting from the original promotional examination.

**Section 6. ESTABLISHMENT OF ELIGIBILITY:** Upon the final approval of the tentative list by the Civil Service Commission, the names of such participants shall thereupon be entered on the eligible list resulting from the original promotional examination in accordance with the relative excellence obtained by all of the qualified participants in the original and similar promotional examination.

#### **RULE 49. JOINT EXAMINATIONS**

Upon approval of the Civil Service Commission of an agreement entered into with one or more public agencies to administer a civil service examination jointly with such other public agencies, the Personnel Director and Secretary is authorized to take necessary action, in accordance with the examination announcement approved by the Civil Service Commission, to make the holding of such joint examinations possible, and except as authorized, such action shall be within the provisions of the established rules and procedures of the Civil Service Commission.

#### **RULE 50. RETIREMENT OF EMPLOYEES**

Retirement from the service by employees, either by reason of service or disability, when reported by the Retirement System pursuant to charter provisions relating thereto, shall be recorded on the service record of the employee concerned and such record shall thereafter be transferred to the file of former employees.



#### **RULE 51. DEATH OF EMPLOYEES**

Death of an employee, when reported by the appointing officer, shall be recorded on the service record of the employee and such record shall thereafter be transferred to the file of former employees.

#### **RULE 52. PERMISSION FOR EMPLOYEES TO LIVE OUTSIDE THE CITY AND COUNTY OF SAN FRANCISCO**

When the Retirement Board shall notify the Civil Service Commission that pursuant to the provisions of Section 7 of the Charter authorization has been granted an employee to live outside the City and County of San Francisco, such notification shall be recorded and filed in the office of the Civil Service Commission.

(SECTION AMENDED 6-27-52)

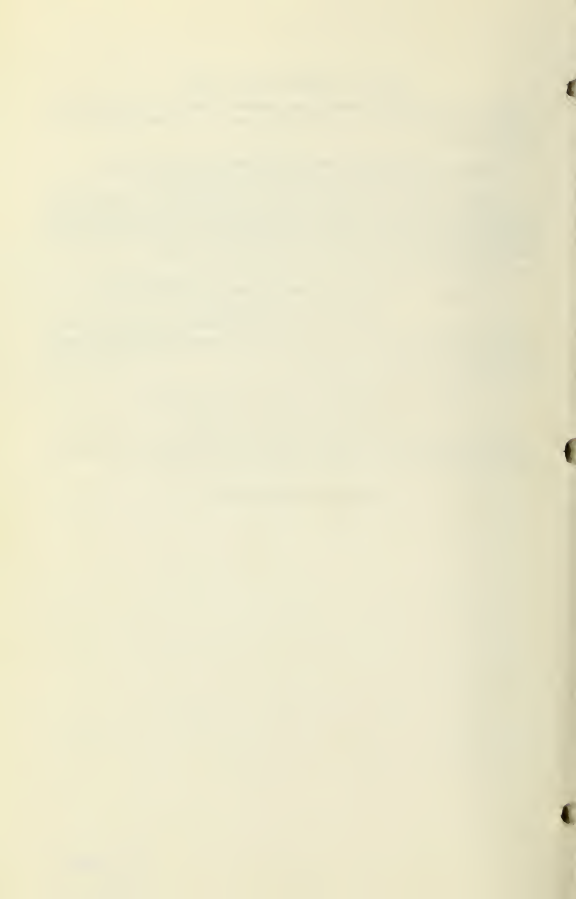
#### **RULE 53. DISCHARGE OF AN ELIGIBLE OR EMPLOYEE FROM MILITARY SERVICE**

Notice of discharge of an eligible or employee from military service, when properly filed in the office of the Civil Service Commission, shall be recorded on the service record of the employee and thereafter such eligible or employee shall resume the status to which he is entitled under the charter and these rules.

#### **RULE 54. SUSPENSIONS WHEN NOT REVIEWABLE BY THE CIVIL SERVICE COMMISSION**

Suspensions for periods, not exceeding thirty days for disciplinary purposes, when imposed by appointing officers as provided in Section 154 of the Charter, shall be recorded on the service records concerned when reported by the appointing officer.

#### **RULE 55. (Repealed 2-21-51)**



**RULE 50 - PERSONNEL ACTIONS TO BE ENTERED ON EMPLOYEES SERVICE  
RECORDS WITHOUT FORMAL COMMISSION APPROVAL.**

The following reports of personnel transactions submitted by appointing officers or requests from employees made to the Civil Service Commission shall not require formal commission approval, but shall be directly recorded on the service records of the employees:

1. Notification from Retirement System of retirement of employee by reason of service or disability.
2. Report of death of an employee.
3. Notification from Retirement Board that employee has been granted permission to live outside of geographic limits within which city employees must live in accordance with the residential requirements.
4. Entry into military service and separation from military service documents when presented by employee or eligible.
5. Request of an eligible that his name be removed from an eligible list.

(Rule 51, 52 and 53 deleted 10-28-68 - incorporated in new Rule 50)

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